LATER LEAVES

BEING

THE FURTHER REMINISCENCES OF

MONTAGU WILLIAMS, Q.C.

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LATER LEAVES.

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It was my original intention to write a short book, treating merely of the East End of London and of metropolitan crime; but many friends urged me to continue the recital of my experiences at the Bar, and I ultimately resolved to increase the dimensions of my projected volume, and to act upon this suggestion. I propose, therefore, to commence these pages with some further reminiscences of my practising days, and then, taking the reader on from the point at which I left him in "Leaves of a Life," to relate my magisterial experiences: dwelling more particularly on the

state of the London poor — their habits, sufferings, and claims for assistance—suggesting a few remedies for the amelioration of their miserable condition; seeking to prove to them that their piteous wail, once heard, will not go entirely unheeded and without response; and—in order, if possible, to bring about a happier and a better state of things—describing what I have actually seen, and am seeing day by day, in the midst of London squalor and London crime.

As I have often stated, I do not pretend to be a writer of books. I am simply a narrator of facts, taking my reader, as it were, into my own chimney-corner, and telling him, plainly and without varnish, stories of things I have seen and heard.

Such is the programme of the new volume. Thus I launch my little boat upon the stormy waters of public criticism, and if it meets with as favourable a breeze upon its voyage, and reaches port laden with half as valuable a cargo, as its forerunner, I certainly can speak for the captain, and I think I may speak for the charterer, and say that both will be more than satisfied.

From the time that I commenced to practise till Sir W. Bodkin's death, the Second Court at the Middlesex Sessions was presided over by Mr. Payne, the Deputy-Assistant Judge. He was, in his way, a philanthropist. A great man at temperance meetings and ragged-school readings, he interested himself generally in the

welfare of the poorer classes, with whom, in truth, he grew to be somewhat of a favourite. One of his principal delights was to recite to his youthful audiences doggerel of his own composition.

In his time Mr. Payne had been a successful defender of prisoners, his clients being generally of the poorer sort. It was upon his practical retirement from the Bar that he received the appointment to the Clerkenwell Bench, at the hands of his old opponent, Mr. (afterwards Sir) William Bodkin.

I used often to appear before Mr. Payne, and I particularly remember one case I had in his Court, in the year 1866. A man named Francis Jones was charged with wounding Georgina Evans with intent to do her grievous bodily harm. I was instructed to prosecute by the Society for the Protection of Women and Children.

The accused—who was nicknamed the "Terror of the Haymarket"—was described as a man who got his living by bullying the women who haunted the vicinity of Her Majesty's Theatre. It appeared that they held him in great dread.

One of the witnesses, an unfortunate named Morgan, deposed that she was in Waterloo Place on the morning of the 21st of March, and that she saw the prisoner there quarrelling with a Spanish woman, who was endeavouring to get away from him. Georgina Evans, the prosecutrix, came up and remonstrated with the man, who at once caught her by the neck, threw her

down, knelt on her, and cut her throat. The witness went on to say that she herself screamed out "Murder!" and "Help!" whereupon the prisoner turned to her and said: "If you come near me I'll rip you well open." He then rose to his feet and walked away, and the witness, after giving some attention to the prosecutrix, followed in pursuit of him. He turned round and again threatened her, saying that he would cut her throat.

It appeared that while this second threat was being uttered, a policeman came upon the scene. Seeing the prisoner drop a blood-stained razor, the officer at once took him into custody.

After the jury had returned a verdict of "Guilty," and just as Mr. Payne was about to pass sentence, Sergeant Appleton, a very active officer of the C Division, interposed with a few remarks. He said he had known the prisoner for a long time. He was a very desperate character, and one of the devices he adopted to obtain money from the poor creatures was to threaten to indict the houses in which they lived. He had, the officer added, been repeatedly convicted for assaulting women of the unfortunate class.

I shall never forget Payne's face when I remarked that something further was known about the prisoner. His lordship cried:

"I think I've heard quite enough. I can only regret that it is not in my power to punish him so severely as I should like." Then, turning to the culprit,

he added: "I sentence you to two years' imprisonment with hard labour, and I do so with the greatest of pleasure."

Another case tried before Mr. Payne, at about the same time, was that of a woman named Jane Hellier, who was charged with stealing £7 from the person of James Harrison.

This was one of the most ingenious robberies that I ever heard of. The prisoner engaged the man in conversation in the street, took his purse from his pocket, and, after abstracting its contents, coolly put it back again. This feat, of which the victim was quite oblivious, was said to have been performed in the space of half a minute.

I defended the prisoner, and, upon some one commenting upon the skill that had been displayed, I remarked that this was not the only ingenious robbery that had been committed lately, going on to observe that it must have been a very expert thief who, a few days before, had stolen his lordship's watch.

This allusion delighted the old gentleman very much, and, in subsequently summing up, he explained to the jury how, in his opinion, the robbery from his person had been perpetrated. Having drawn a chain from his waistcoat pocket, and pointed out that the bow of his stolen watch was still attached to it, he explained that this gave them the clue to the situation.

"There is a slight and skilful turn of the wrist—so," he said, suiting the action to the word; "the watch is

snapped off at the bow, and with all speed the offender decamps."

While the Judge was giving this little lecture on street robberies, the prisoner—who, by-the-bye, was an excellent type of the London female pickpocket—leant forward in the dock, and listened with great interest. Observing this, the occupant of the bench, addressing her, said:

"I am not giving these particulars for your edification; for, after the evidence we have heard, I have little doubt you understand such things far better than I do."

"Really, my lord, that is a most unfair observation," I ventured to remark, though with a guilty feeling that, in alluding to the Judge's watch, I had brought it upon myself.

Payne chuckled and rubbed his hands with glee, imagining that, by this side-wind, he had convicted the prisoner. But a disappointment was in store for him; for, after a short deliberation, the jury pronounced a verdict of "Not Guilty."

Payne's case is not the only one I remember of a dispenser of justice being the victim of robbery. About two years ago, the late Mr. Saunders, after sitting for me one day at Worship Street, had the misfortune, as he was proceeding homewards across Finsbury Square, to excite the zeal of a small pickpocket. The young rascal, doubling himself up, ran full-tilt against the somewhat infirm body of my brother magistrate, and,

having eased that astonished gentleman of a valuable watch, swiftly departed down a side-street. The watch was never heard of again by its lawful owner.

But this is not the worst that I have to tell. About ten years ago I was the victim of a robbery myself.

At that time I lived in St. James's Palace Chambers, and it happened one Saturday, after a hard week's work, that I left town, not to return until late on Monday, which was a Bank Holiday.

During my career I have received many little presents from grateful clients; and, as a consequence, at the period of which I am writing, the mantel-shelf and a side-table in my sitting-room were studded with ash-trays, cigar-cases, and various articles of *bijouterie* in gold, silver, and other metals.

Judge of my surprise, upon entering the room on my return from the country, to discover that all these nicknacks had disappeared! I at once summoned my servant—who had, of course, accompanied me out of town—and desired him to immediately communicate my loss to the hall-porter, and to ascertain whether he could throw any light upon the subject.

The mystery was promptly solved, but the solution was far from a comforting one. The hall-porter told my servant that, late on Saturday afternoon, he answered the bell to a tall, gentlemanly-looking man, who asked whether I was at home. Upon being informed that I had gone into the country, and upon receiving the further information—in response to his

inquiry on the subject—that my servant had accompanied me, the stranger, with the utmost politeness, asked if he could run up to the rooms of his "old friend" and write a note there for him to receive upon his return. It appeared that the porter, like a fool, at once gave his consent.

On receiving this information, I involuntarily looked towards my writing-table, and there, sure enough, lay an envelope addressed to me. Tearing it open, I discovered, neatly written on a sheet of note-paper, these words:

"Dear Monty—With many thanks."

I was terribly annoyed, mainly because of the associations attached to the stolen articles.

It was not for some time that I became aware of the full extent of my loss. I never cared much about jewellery, and, in fact, have scarcely ever worn any; nevertheless, at the time of which I am writing, I possessed a considerable quantity. I kept it in a dressing-case in my bedroom, which was separated from the sitting-room by a passage.

Fully a month after my visit to the country, I happened to have occasion to move the dressing-case, and in doing so I found, to my surprise, that it was unlocked. Lifting the lid, I made the further discovery that all my jewellery had vanished.

Thus my tall and gentlemanly-looking visitor had not been content with exploring, and partially stripping, my living-room; he had invaded the

sanctity of my bedchamber, and helped himself to all my valuables.

Without loss of time I repaired to Scotland Yard, where I gave a description of the property; but the authorities did not succeed in tracing a single article.

Though a man of considerable experience, Mr. Payne was, at times, quite unable to keep order in his Court; and I remember scenes taking place there of which, thank goodness, there are no counterparts in the present day.

In 1876, I was present when a very remarkable scene was enacted, the principal characters in it being Mr. Cooper—who was the senior of the Sessions—and Mr. Warner Sleigh. The charge was one of assault on a police constable named Oliver, if I remember aright.

During the examination of witnesses several interruptions took place, and Mr. Payne advised the learned counsel not to talk to one another. "If the conversation is continued," he added, "I shall be obliged to lay down some rules to check it."

These observations succeeded in securing quietude for the time being; but this was only the lull preceding a storm, and, in a few minutes, a very brisk passage of arms took place between counsel.

Mr. Sleigh was putting a question to a witness when Mr. Cooper interposed with the observation:

"I can't understand what you mean."

"I don't suppose you can," rejoined Mr. Sleigh, with a quiet smile.

"It's no use," said Mr. Cooper, hotly, "your putting on those monkey faces with me. I have never been used to such conduct from learned counsel."

Mr. Sleigh, springing to his feet, exclaimed:

"I appeal to the Court whether——" but the remainder of his remark was lost in the general commotion, for the people in the gallery had all risen excitedly, being eager to see what was passing.

Mr. Payne, as soon as he could obtain a hearing, severely remarked:

"Mr. Sleigh and Mr. Cooper, I shall adjourn the Court and retire until you gentlemen have come to your senses;" and, amid considerable commotion, his lordship rose from his seat.

Both the learned counsel now essayed to speak, but Mr. Payne cried: "The Court is adjourned," and ran out at the door.

In spite of the uproar that ensued, Mr. Sleigh managed to make himself heard. He shouted:

"I will not put up with such observations from any gentleman, be he senior or junior to me. I protest most strongly against the Court being adjourned. I have always conducted myself with propriety." Then, addressing the usher, Mr. Smith, he added: "Usher, will you kindly present my compliments to the Judge, and ask him to come back into Court."

The usher did as he was directed, and in a few

minutes Mr. Payne reappeared. Upon resuming his seat, he said:

"It occurs to me that Mr. Sleigh did, a short time ago, make use of an observation which I do not exactly recollect at this moment."

"He said," interposed Mr. Cooper, "that I could not understand."

"And since then," continued the Judge, "Mr. Cooper has accused him of making faces at him. As the Judge of this Court, I order you both immediately to apologise for using those observations."

Mr. Cooper promptly replied:

"I will apologise willingly if I have said anything that you do not like."

"And I will most humbly apologise to your lordship," said Mr. Sleigh, "for anything I may have done or said disrespectful to your lordship; but when you put Mr. Cooper's observation on a par with mine, I will not do so."

"I do not require you," said Mr. Payne, "to apologise to one another. I require you to apologise to the Court, or I will go away again until you are cooler."

"I am apologising," exclaimed Mr. Sleigh.

"I have on a former occasion," Mr. Payne proceeded, "consulted with the Assistant Judge in reference to the observation of another learned gentleman, and I fined him £20. The case was taken to the Court of Queen's Bench, but the money had to be paid."

Rising indignantly, Mr. Sleigh observed:

"Do I understand your lordship to say you will consult with the Assistant Judge whether you will fine me £20?"

"Nothing of the kind," said Mr. Payne.

The learned gentleman then formally apologised, and the case proceeded.

CHAPTER II.

BLACK FRIDAY IN THE CITY.

Failure of Overend, Gurney, and Co.—Panic in the City—History of the firm—Ladies and their rescued wealth—The English Joint-Stock Bank—A pathetic incident—Proceedings in Chancery and Bankruptcy—Prosecution of the Overend and Gurney directors—Preliminary hearing at the Mansion House—Dr. Adam Thom—Mr. Howell, the arithmetical sprite—Committal—An indictment with thirty-one counts—The wonderful array of counsel—Arguments for and against—Was the prospectus florid or fraudulent?—Verdict — Some brilliant orations — Mr. Mellish and Mr. Benjamin—The Merchants' Company prosecution.

On Friday, May 11th, 1866, a blow was struck which staggered the mercantile community, not only of the metropolis, but also of the whole United Kingdom. On the Thursday evening the great house of Overend, Gurney, and Co. had been compelled to suspend payment, and, at three o'clock on the following afternoon, it put up its shutters. The intelligence, which rapidly spread through the City, created a panic almost unparalleled in the history of commerce. An enormous crowd gathered in the approaches to the well-known building at the corner of Lombard Street, and the doors of the estab-

lishment were literally besieged with persons anxious to verify the startling report.

In certain circles it had been known for some time that the company was embarrassed, and during the previous week or two rumours had been afloat as to its solvency. Nevertheless, when the news of the downfall spread abroad, it occasioned everywhere the greatest surprise, and even the prominent members of the banking community, whose business communications must have made them aware that the great concern was in a tottering condition, experienced a difficulty in realising that the crash had actually taken place.

The original house had been established, by Mr. Thomas Richardson and Mr. John Overend, about sixty years before. Some time after its foundation, Mr. Samuel Gurney—whose father was a member of the firm of Gurney and Co., bankers, of Norwich—became a partner in the business, and he continued to take an active share in its management for nearly fifty years. In time those three gentlemen died, and their places were filled by Mr. Samuel Gurney, Mr. Edmund Gurney, and Mr. Robert Birkbeck; and upon the conversion of the firm into a limited liability company, the two gentlemen last-named remained as directors, their colleagues on the Board being Mr. John Henry Gurney, Mr. Henry Barclay, Mr. Thomas Gibb, Mr. Harry Gordon, and Mr. William Rennie.

On Friday morning a number of banks in Lombard Street, in order to proclaim their solvency and inspire

confidence, took down their shutters an hour before the prescribed time; and when the eventful day was over, some of them kept open an hour later than was their wont, that the world might know they had weathered the storm. Of course, however, these measures did not wholly suffice to allay the fears of the British public.

Many ladies were seen to enter the different banks with faces deadly pale, and, shortly afterwards, to reappear—with faint smiles upon their faces—closely hugging leather bags. Where were they going to place their rescued wealth?—and Echo answered, Where?

I knew of a lady with a very large deposit at the central establishment of the London and Westminster Bank, who, upon hearing of the great failure, at once rushed off to the City, and withdrew the whole amount. Among her friends was one of the governors of the Bank of England, and she straightway repaired to his office to ask him where she should deposit her wealth. His first question was: "Where have you taken your money from?" She replied: "From the London and Westminster Bank." "Then you had better take it back again," was his quiet rejoinder.

On horror's head horror accumulated; and it was soon known that the English Joint-Stock Bank had followed the example of Overend, Gurney, and Co. The English Joint-Stock Bank had recently taken over the business of Messrs. Olding and Co., in which firm Samuel Rogers, the poet, was for years a partner, as also was Mr. Samuel Sharp, well known in his day as a

member of many learned societies. At the time of the smash, the directors were, for the most part, members of wealthy Unitarian families.

It may be noted, as a curious incident, that, shortly before the disaster was made known, several old gentlemen who had spent the earlier years of their lives in the service of the firm, arrived outside the building. They were standing there, gossiping about old times, and remarking no doubt upon the rising fortunes of the house, when a clerk stepped outside and affixed the fatal announcement to the door. Poor old fellows, one can imagine their feelings!

At the first blush, the liabilities of Overend, Gurney, and Co. were estimated at from ten to twelve millions. The capital of the company was five millions sterling, and it was divided into a hundred thousand £50 shares. Only £15 had been paid on each share, and thus there remained to be called up £3,500,000.

Of course many minor failures resulted from the two great ones, conspicuous among them being that of the Merchants' Company.

In the course of time many law proceedings arose out of the disasters. Cases were heard in Chancery and Bankruptcy, and as a result thereof, after a number of stormy meetings of shareholders, it was resolved that criminal prosecutions should be instituted against the directors of Overend, Gurney, and Co., the English Joint-Stock Bank, and the Merchants' Company. I was engaged as counsel in all three trials.

The prosecution in the case of Overend, Gurney, and Co., did not commence until the 1st of January, 1869. It came before the Lord Mayor, and the hearing lasted nine days.

Mr. George Lewis appeared for the prosecution, and the defendants were represented as follows: Mr. J. H. Gurney, Mr. H. E. Gurney, and Mr. Birkbeck, by Serjeant Ballantine and Mr. J. C. Mathew; Mr. Barclay, by Serjeant Parry and myself; Mr. Henry George Gordon, by Serjeant Sleigh and Mr. Ledgard; and Mr. Rennie, by Mr. Hardinge-Giffard, Mr. Poland, and Mr. Gardyne. Besides the Lord Mayor, there were present on the bench at the first hearing Sir Thomas Gabriel, Sir Robert Carden, Sir Benjamin Phillips, Sir William Rose, and Mr. Alderman Cotton.

The charge preferred against the defendants was that they, in the month of July, 1865, and at divers other times, in the City of London, unlawfully did conspire and combine, by false pretences, to induce Adam Thom, of No. 90, Gower Street, Bedford Square, and divers other persons, to become shareholders in Overend, Gurney, and Company, with intent to cheat and defraud.

It has always been the boast of the magistrates, or rather, Aldermen, of the City of London that they extend the same treatment to every defendant brought before them, without any regard to his or her social position. In this case an application was made that the defendants might be allowed to sit next to their counsel,

but it was refused. Our clients, however, were not required to enter the dock. They were "accommodated," as the newspapers say, with seats outside thereof.

The prosecution was instituted, according to the solicitor conducting it, by a committee of shareholders; but the person principally to the fore was Dr. Adam Thom, who had the assistance of a somewhat remarkable man, Mr. Howell, an accountant. It afterwards transpired that Dr. Thom was not a large shareholder in the company; and, indeed, I have reason to believe that he obtained the transfer of a few of the shares for the purpose of instituting the proceedings.

Dr. Thom was an old man of striking appearance. He was about seventy years of age, I should judge, and had gray hair. A shrewder-looking man I think I never saw.

The pivot on which the prosecution turned was the evidence of Howell, the accountant. He was a very demon at books; and I shall never forget seeing him, day after day, manipulating the Overend and Gurney ledgers, which were brought to the Mansion House every morning in two or three waggons. He had had access to them during the bankruptcy proceedings, and seemed to know them all by heart. It was perfectly amazing to see him. Standing in the midst of those volumes, with a little slip of paper in his hand, he would dip first into this book and then into that, and, with scarcely a second's delay, give you the result of his search.

When this arithmetical sprite was in the witness-box, it was curious to watch the faces of the defendants, as they sat there listening intently, and learning more in a few hours about the figures of their extensive enterprise than the study of years had given them any conception of.

So the weary days wore on, and at last the time arrived for leaders to address the Bench on the question whether or no a case had been made out that would warrant a committal. The Lord Mayor, who had exhibited great judicial power in hearing the case, though he was obviously very much impressed against the defendants, announced, on the 27th of January, that he proposed to send them for trial, giving shortly his reasons for doing so.

The defendants were held to very heavy bail, and among those who came forward on their behalf were gentlemen of the first eminence in the City of London.

The original committal was to the Central Criminal Court, but the indictment was subsequently removed by *certiorari*, to the Court of Queen's Bench. The case was mentioned in Parliament on June 30th and July 31st, and came before the Lord Chief Justice of England (Sir Alexander Cockburn) and a special jury, on December 13th, 1869, under the title of "The Queen on the Prosecution of Dr. Adam Thom *v.* Overend, Gurney, and Company."

Dr. Kenealy, Q.C., Mr. Macrae Moir, and Mr. Dawson Yelverton appeared to prosecute; and the defendants

were represented as follows: for Messrs. Gurney and Mr. Birkbeck, the Solicitor-General (Sir John Coleridge), Mr. Hawkins, Mr. Serjeant Ballantine, and Mr. J. C. Mathew; for Mr. Gordon, Sir John Karslake and Mr. Ledgard; for Mr. Barclay, Mr. Mellish, Q.C., Serjeant Parry, and myself; and for Mr. Rennie, Mr. Giffard, Q.C., Mr. Poland, and Mr. Gardyne.

The indictment was an extremely voluminous one, containing thirty-one counts. Dr. Kenealy, in opening, stated that the substance of it was that the defendants had entered into an agreement with a firm called Overend, Gurney, and Co., to induce certain persons by false statements to subscribe sums of money in the purchase of shares in a joint-stock undertaking. Some counts charged a general conspiracy, and one, a conspiracy to obtain money from the prosecutor, Dr. Thom; and the learned counsel, in rather bombastic terms, stated that nothing so fraudulent as the conduct of the defendants had been known since the days of the notorious South Sea bubble.

In the space at my command it would be impossible to follow the learned counsel in his voluminous opening, nor do I think that the multitude of facts and figures involved would interest my readers.

It is more a matter for regret that I have no room to give extracts from some of the splendid and masterly orations delivered by leading counsel during the trial. What a galaxy of talent there was, and what distinguished futures lay before many of the gentlemen

engaged in this case! To-day, more than twenty years afterwards, we can say that, among those holding briefs on behalf of the directors of Overend, Gurney, and Co., were a Lord Chancellor, a Lord Chief Justice, a Lord Justice, two puisne Judges and an ex-Attorney-General. I do not think that, in the annals of the English Bar, another example could be found of so powerful an association of counsel.

The summing-up of the learned Chief Justice was about as brilliant a one as was ever heard within the four walls of an English court of justice. His peroration was an especially splendid piece of elocution, and I shall never forget it. He reminded his hearers that, but a short time since, the names of Overend and Gurney stood, not merely high, but the very highest in the aristocracy of commerce. "They were the Cæsars of the money world, and now, like Cæsar, they have so fallen that there are none so poor as do them reverence." During his summing-up he told the jury again and again that it was their duty to determine, not the cause of the failure, but whether the defendants were actually responsible for it—whether, at the time of the transfer of the business, the old firm believed that they were selling, and the new Board believed that they were buying, an enterprise that was sure to collapse through its own inherent rottenness.

The old firm had been in existence about three-quarters of a century, and it was admitted by the counsel for the prosecution that, some ten years before,

the annual profits had been about £105,000. The charge, as enunciated by Dr. Kenealy, came to this—the gentlemen concerned had suddenly deviated from the paths of safety and embarked in all sorts of speculations. "They covered the sea," he said, "with their ships, and they ploughed the land with their iron roads." The result was—according to the prosecution—that, in 1865, they were in a state of hopeless insolvency. Dr. Kenealy asserted, indeed, that, at that time, their liabilities amounted to £15,207,000, and their assets to only £12,075,000, leaving a deficit of over three millions sterling. He went on to declare that, finding themselves in this position, the partners hit upon the expedient of forming the company, and thus shifting their responsibility on to the shoulders of the investing public.

On the other hand, the counsel for the defence again and again asked what possible motive the new directors could have had in encouraging the fraud and embarking their own money in a scheme they knew to be unsound. Certain it was that several of the new directors invested enormous sums in the company, thus courting their own ruin, if the theory of the prosecution was to be accepted.

Counsel for the defence argued that the prospectus was no more than a florid, sanguine document, or, as the Lord Chief Justice quietly put it, a document drawn up in "the true prospectus style." Had the directors, we asked, done more than use laudatory adjectives in describing their venture? Had they represented as

an existing fact that which was a non-existing fact? It was admitted that the younger members of the firm had for years deviated from the sound and cautious, if somewhat slow, methods of their predecessors. They had been go-ahead people. Undoubtedly, at the time of the transfer, the business was not so good as it had been, but the question remained—was it hopelessly involved? And here, of course, came in the important query—in matters of speculation, where does hope end?

There was certainly an important misstatement, or rather omission, in the prospectus. Mention was only made of one deed for the transfer of the business, whereas in fact there were two. His lordship, in summing up, told the jury that the two deeds should certainly have been mentioned. The excuse, however, offered by the defendants was that the prospectus had to be issued by a certain time, and that, when the date arrived for putting it in the printer's hands, the second draft had not been completed.

But, queried his lordship, even if both deeds had been referred to, would that circumstance have prevented the public taking up the shares? If there had been twenty deeds exposed to view, would intending shareholders have paused to scrutinise them? Would not the splendid reputation of the firm of Overend, Gurney, and Co. have been deemed a sufficient guarantee for the soundness of the investment? His lordship admitted that the disaster was probably without equal in modern times; but the crucial point for the jury

to consider was whether that disaster had been due to fraud or over-sanguineness.

At two o'clock on Thursday, the 28th of December, the jury retired to consider their verdict. After the lapse of a quarter of an hour they returned into Court, and, upon being interrogated, the foreman sonorously and emphatically exclaimed : "Not Guilty."

A remarkable scene took place in Court upon the announcement of the verdict. Loud cheers were raised, and the demonstration was prolonged.

As soon as the Lord Chief Justice was able to interpose, he observed, in a voice which, I am bound to say, did not betray much displeasure :

"Really, this is very wrong. I ought to commit some of you."

Dr. Kenealy made an application for costs, under the 24th and 25th Victoria, section 24, whereupon his lordship said :

"I unhesitatingly concur in the propriety of this verdict. If you had confined the prosecution to the three original members of the firm, I should not have hesitated to allow costs, but inasmuch as, in my opinion and judgment, the inclusion of the other defendants in the indictment—which had the effect of shutting their mouths—was altogether unjustifiable, I would not allow costs even if I could ; but you ought to know that, as this indictment was removed by *certiorari*, no costs can be allowed."

The defendants then left the Court with their friends

Of all the brilliant orations delivered in the course of this remarkable trial, the very best was that of my leader, Mr. (afterwards Lord Justice) Mellish, and the circumstance was remarkable inasmuch as he had gained his splendid reputation as a lawyer and an arguer rather than as an orator. As a lawyer and an arguer, indeed, I do not think his equal has been seen, or is ever likely to be seen, at the English Bar.

The nearest approach to him was that remarkable man, Mr. Benjamin, Q.C. He came to us from America, where, during the war, he was Secretary of State for the Southern States. He left his native land because he wished to practise here, and, from the time of his arrival till the time of his retirement—which happened shortly before his death—he was one of the greatest ornaments of the English Bar.

In his private life Mr. Benjamin was the most amiable of men, and the best of friends, and this makes me the more regret a slight done to his memory two or three years ago, under circumstances that I will briefly explain.

A dinner was given at the Mansion House, to Mr. Phelps, the American Minister, to wish him good fortune and God-speed on the occasion of his return to his native land, where, I believe, he proposed to re-enter his profession as an advocate. All the most distinguished members of the Bench and Bar were present, and, as might be expected, the speeches after dinner were of a very brilliant description. The Lord

Chancellor, the Lord Chief Justice, the law officers, and other eminent men, delivered addresses, referring to the good-will that existed between the Bar of the two countries, and giving examples of American advocates who had attained distinguished positions on this side of the Atlantic. But I listened in vain for some mention of the name of Mr. Benjamin. Not one of the speakers remembered him. Alas! how soon we are forgotten!

The charge against the directors of the Merchants' Company was tried at the Mansion House, before the Lord Mayor, on the 8th, 28th, and 31st of January, and the 5th, 8th, 11th, and 19th of February, 1869.

The prosecutor was a gentleman named John Land, of Litchurch. Mr. Straight prosecuted, and the defendants were represented as follows: Mr. Richard Stuart Lane, by Mr. George Lewis; Mr. James Childs, by Serjeant Parry and Mr. Ledgard; and Mr. Helbert, by myself.

The charge against them was that they had published a circular, well knowing it to be false, and had sent it round to the shareholders, when calling up capital; and they were further indicted for issuing a fraudulent prospectus, alleging that the business of the old firm, Messrs. Lane, Hankey, and Co., was in a perfectly solvent and flourishing condition.

At the end of the hearing at the Mansion House, the defendants were committed for trial, being held to very heavy bail; but on Monday, March 1st, the prosecution made an application to the Recorder,

sitting at the Central Criminal Court, asking that the case might be withdrawn, as, in the opinion of those who had been instructed on the part of the Crown, there was no chance of obtaining a conviction. The request was at once granted, and the defendants were discharged.

The third case, that of the English Joint-Stock Bank, was heard at the Mansion House in the month of May; but in this case also the prosecution failed.

CHAPTER III.

BARRISTERS' CLERKS AND ECCENTRIC BARRISTER.

The barrister's clerk—Precocious office boys—Mason, Worster, and Coxedge—Langford—His "soup" and his garret—A general invitation that was accepted—Langford ascends my mulberry-tree—The apples and the champagne-bottles—A near neighbour who played the cornet—How the tormentor was tormented—Peace restored—Langford and Ribton: a malicious proceeding—The mad barrister Brierly—A strange form of insanity—Flint-stones in court: terrifying the Judge and jury—Mr. Serjeant Cox and Mr. Carter—An unkind remark—Warner Sleigh's domestic history—The consequences of having a pair of boots cleaned—Sleigh's melancholy end—Some mottoes for Serjeants—A whimsical simile.

A TYPE of character only to be met with in the Temple and its precincts is the barrister's clerk. He usually begins life as chambers boy, his business in that capacity being to make himself generally useful, and, when the clerk is in court with his master, to see any one who calls, and note down in a book the object of the visit.

Very often the clerk models himself upon his master, and the boy upon the clerk. The boy begins life as an extraordinary creature. His juvenile mind is

entirely bent upon fees, and the amounts that ought to be marked upon the different papers that come into the chambers. He is a perfect marvel of precocity. He begins to earn his living at about the age of twelve, his wages averaging from ten to twelve shillings a week. In nine cases out of ten a portion of the first week's salary is spent in the purchase of the mild Havanna.

There never was a better description of this sort of youth than is to be found in Tom Taylor's wonderfully amusing farce called "Our Clerks." It was written at the time when the author, in conjunction with two or three other barristers, occupied chambers in the Temple. Two boys were employed there, and their counterparts are to be found in the farce. The characters were sustained, in an extraordinarily clever way, by Mrs. and Mr. Keeley, the latter playing the part of Bob Nettles.

As time rolls on, and the clerk either dies or retires, the youngster takes his place. It sometimes happens, however, that the latter blossoms into manhood before the vacancy is created, and in this case he is usually transferred to the chambers of some gentleman rising in practice who is in need of a clerk.

There is no more faithful creature than the barrister's clerk. What on earth could the barrister in large practice do without him? He is necessary at every turn and at every moment. He arranges your consultations and conferences, waits upon you in the robing-room, takes your papers to your seat, and watches every Court where you have business to transact. He follows

all your movements, which long experience has taught him to interpret, very much after the manner of a faithful dog.

Who that knew, or was a client of, the late genial Serjeant Parry will forget Mason, his representative? What solicitor of bygone times who favoured Ballantine with his retainers, will ever be oblivious of Worster? And even now, in these days, my good friend Poland would scarcely be recognised were he unaccompanied by the trusty Coxedge.

These relations between employer and employed have existed from generation to generation, and, loving my old profession as I do, my earnest hope is that the position between the parties may never be altered.

I have known more than one eccentric barrister in my time. Certainly the oddest creature I ever met was Langford. Though belonging to a good old Catholic family, he was dreadfully poor. How he existed, indeed, was a mystery to everybody. His domicile was a couple of garrets in Gray's Inn.

Langford appeared every session, both at Clerkenwell and the Old Bailey, for the purpose of receiving his "soup," which, as I think I explained in my other book, is the deposition of the Court to prosecute in a case in which the Crown is not represented. These depositions were handed by the clerk to Langford, in virtue of his being one of the senior members of the Bar.

The Middlesex Sessions only occur twice in the month, and the Central Criminal Court Sessions, once;

and thus, if in each case the old fellow got his deposition (which at the most would represent £2 4*s.* 6*d.*), the total sum received would scarcely have sufficed to meet all his bodily wants. Yet he did not seem to derive an income from any other source. The deposition fee would sometimes only amount to £1 3*s.* 6*d.* (for it depended upon the number of witnesses called); and therefore it is manifest that poor Langford must sometimes have been sorely pinched.

I shall never forget an incident that occurred one day when I was sitting next to him at the Middlesex Sessions. He was bemoaning the fact that the clerk had not brought him his "soup," and he paused in the middle of the conversation to write something on a piece of blotting-paper, which he handed to me with a vacant smile. I read as follows:

> As pants the hart for liquid streams,
> When weary of the chase,
> So pants my heart for One Three Six
> In this disgusting place.

One day during the summer Langford told me how much he envied me having a place in the country, and near the river—alluding to my house at Twickenham. I replied:

"My dear Langford, why don't you come down and visit me? I shall always be delighted to see you;" forgetting for the moment that Twickenham is some distance from London, and that the journey would be a consideration with him.

The house in which I and my family lived was called Cross-deep Lodge, and was situated on the high-road that runs from Twickenham to Teddington. Attached to the house was a very large garden, in which stood an extraordinary old mulberry-tree.

One day shortly after the conversation just alluded to, on returning home from an afternoon's fishing, whom should I find, sipping a glass of sherry in the dining-room, and gossiping with my wife, but my learned and eccentric friend.

I saw that my wife was sorely puzzled both by his appearance and his conversation. A musty-looking old velvet shooting-jacket adorned his person, and his paper collar was badly pinned to a slate-coloured flannel shirt. He was, moreover, very dirty, and quite smothered with dust, having, as he quickly informed me, walked the whole way from London. In fact, a queerer figure I never beheld.

My wife afterwards described what had taken place upon his arrival. On learning that I was not at home, he had asked to see Mrs. Williams, saying to the servant:

"Don't hurry her; I can amuse myself until she comes."

In a few minutes my wife entered the dining-room; but there was nobody there. Noticing that one of the French windows stood ajar, and concluding that her visitor was taking a turn on the lawn, she passed out into the open. To her surprise, however, the garden appeared to be quite deserted.

Completely mystified, my wife was about to re-enter the house, when a rustling of leaves attracted her attention. Glancing in the direction whence the sound came, she perceived, seated on a lofty branch of the mulberry-tree, and munching the well-ripened fruit, the eccentric-looking figure I have attempted to describe.

Having descended to the lawn—a feat accomplished not without some difficulty—Langford introduced himself, and stated how he had received from me a general invitation to come down to Twickenham whenever he liked.

My wife noticed that her visitor's paper cuffs and collar were liberally besmeared with mulberry-juice, and she also observed that, as the policemen say, "his appearance was rather bulky." The explanation of this was not long delayed; for in the middle of the conversation two apples tumbled from the breast-pocket of the old gentleman's coat. Picking them up, he said:

"You see, Mrs. Williams, I have been walking round the garden. There are so many of your apples lying about I thought you wouldn't mind my putting a few into my pocket. You see, I thought I might meet a poor boy on the road;" and then, as if the scene were plainly enacted before his eyes, he murmured: "Poor boy! poor boy!"

On going round by the stables, Langford observed a number of empty champagne-bottles, and turning to his companion, said:

"You seem to drink a great deal of champagne

down here. I hear that Arthur Collins"—alluding to Sir Arthur, now Chief Justice of Madras—"very often pays you a visit, and I think, Mrs. Williams, that must account a good deal for these champagne-bottles;" though why he should have made this observation I never could understand, for a more temperate creature than the gentleman alluded to never existed.

However, this led to an invitation to stay and dine, to see for himself what the champagne was like. He agreed to do so, but refused the further invitation to remain the night.

He quitted Twickenham at about eleven o'clock, and trudged all the way back to town on foot.

It happened that, underneath the garrets where Langford resided, there lived a man who occupied a great portion of his time in playing the cornet—a circumstance that raised the ire of my learned friend not a little. He remonstrated repeatedly, but in vain. The cornet-player, who was of a cantankerous turn of mind, and who was not without a smattering of the law, observed that an Englishman's home was his castle, and that he should do as he pleased.

This declaration of war was uttered one afternoon, and that same night, just as the musician had got well off to sleep, he was awakened by a most unearthly din. Sitting up in bed, in a semi-comatose state, his first impression was—as he subsequently explained to the lodge-porter—that some one was driving hundreds of nails into his head. He jumped wildly from his bed,

and in a few moments had so far regained the mastery over his senses that he was able to localise the uproar. It was manifest that a terrible knocking was going on in the room overhead.

Flinging a blanket around his shivering body, the poor fellow ran upstairs. There was a light in Langford's room, the door of which stood open, and, without ceremony, in he rushed.

What he saw fairly took away his breath. The elderly barrister was sitting on the floor in his night-shirt, and, to the accompaniment of a lugubrious ditty, was driving enormous nails into the boards with a mason's hammer.

In vain did the cornet-player entreat him to desist. Another nail was driven into the splintering boards—another—and yet another; and not till then did the wielder of the heavy hammer pause and speak. He said:

"You make my life a misery to me all day long, and now that the night has come it's my turn;" and down again came the heavy hammer, and another nail was driven home.

There can be no doubt that my learned friend occupied a very strong position, and it is not surprising under the circumstances that a truce was speedily entered into between the parties. Cornet and hammer were laid aside, and silence reigned.

Langford's eccentricities were not always without a touch of malice. Arriving rather early one morning in the robing-room at the Middlesex Sessions, I found

the old gentleman there (he was invariably the first arrival) wearing a very pleased expression. Pulling a newspaper from his pocket, he drew my attention to a paragraph contained therein. It gave an account of certain County Court summonses and judgments against a member of the Sessions named Ribton, to whom, for some reason or other, my companion had conceived a most intense aversion. As Langford was reading the paragraph to me, who should enter but Ribton himself, upon which, with a diabolical smile, the malicious old fellow skipped up to him and said :

"Good morning, Rib ; have you seen this, Rib ?"

As he spoke, he handed Ribton the newspaper ; and then, in the coolest manner imaginable, commenced rubbing his hands, and jumping with joy.

A more than eccentric creature was the mad barrister Brierly. He had a long flowing snow-white beard, and, like Langford, was a very old man.

Brierly became the terror, not only of the Judges who presided at the different Criminal Courts, but of the public in general. His insanity took a peculiar form. He was under the impression that it was his mission on earth to clear the Criminal Courts of the "wicked and cheating attorneys," as he called them. He was perpetually interrupting the proceedings with observations on the subject, and more than once said that he expected soon to have accomplished his great work, and that the sons of noblemen and gentlemen would then be able to practise at the Bar.

In the streets the poor old fellow was generally followed by a crowd of little boys, who quizzed and otherwise tormented him.

He carried about with him a red bag, which contained, not his wig and gown, but a number of large flint-stones. On arriving in Court, he would take these out and pile them in front of him, much to the terror of the Judge and jury. When called upon to put the stones away or leave the building, he would rise and explain to the Bench that he merely brought the missiles into Court for his own personal protection. It would seem that he anticipated the necessity of using them to withstand an onslaught from the wicked solicitors. He explained to the Judge, when reference was made to his warlike preparations, that he was descended from the bravest in the land.

Matters came to such a pitch that, in the summer of 1869, one of the Judges ordered Mr. Brierly into custody; and, on the 23rd of August in that year, it was stated from the Bench that he had been pronounced insane, and, on the proper doctors' certificates, sent to Hanwell.

Upon Mr. Payne's death he was succeeded by Serjeant Cox, a remarkable man in many respects. Though enormously rich, he was content for many years to play the part of journeyman Judge at the Middlesex Sessions, for the somewhat modest remuneration of five guineas for every day that he was called upon to sit, the annual sum yielded by the office being only a little over

£500. He was a large holder of newspaper property, being the owner of *The Field, The Queen, The Law Times, The Exchange and Mart,* and several other periodicals. To merely mention the two first-named publications would be, of course, to convey the idea of a very considerable income. I can remember the time when *The Field* was offered to my old friend Benjamin Webster, the actor, for a few hundred pounds, and refused by him; but now it is an enormous property.

Serjeant Cox was a dapper-looking little man, with a florid complexion and a perpetual smile. He took a long time to try his cases, and was a painstaking and most humane judge. He was a member of the Western Circuit, and there is a rather good story concerning him, dating from the time when he practised at the Bar. A barrister named Carter figures in the story, and I cannot forbear from briefly introducing this gentleman to my readers. Carter was a very hard-working, but a very unfortunate man. He was once elected member for Tavistock; but he made only a single appearance at St. Stephen's, on which occasion he actually spoke and voted against paying the expenses of the Duke of Wellington's funeral. The property qualification had not at that time been abolished, and upon inquiries being made into Carter's possessions, it was discovered that he was not eligible.

But to come back to the story. It happened one day—I think, at Exeter—that there was a great stress upon the time of the Judges—both the calendar and

cause lists being unusually heavy—and, in consequence, it was resolved to obtain assistance from the Bar. Serjeant Cox was a silk gown, and accordingly he was selected to try the overflow of cases. He took his seat with evident pleasure, and with a certain amount of exaggerated dignity. When a commissioner is appointed temporarily in this way, it is customary for counsel to address him by the title of "my lord," and, in other respects, to treat him exactly as though he were a permanent judge. It so happened that the first case tried by Cox was one in which Carter appeared for the defence, and the latter gentleman "my lorded" the former to his heart's content. Presently a point of law arose, and Carter, addressing the presiding dignitary, said:

"My lord, if your lordship remembers, there is the well-known case, my lord, of —— and ——. If your lordship will permit me, I will read you the marginal note."

Cox, who, among his other duties, had found time to edit "Cox's Criminal Cases," observed:

"Mr. Carter, I don't see that this case is on all-fours with the present. In fact, I don't think it has anything to do with it."

"What!" said Carter, dropping "my lord" at once, "do you mean, sir, to say that you don't see the force of my argument? The best thing, sir, you can do is to go and consult the Judge in the adjoining Court."

The Serjeant replied:

"I shall do nothing of the sort. Pray proceed with your case."

Upon this Carter burst out:

"Upon my soul, Cox——!" and then proceeded with his speech.

This same gentleman, Mr. Carter, was for many years treated rather unkindly by the leader of his circuit, a great personage, who, in spite of his superior education and good manners, could at times be extremely bitter and sarcastic. He had a celebrated brother, a father of the Society of Jesus, and Carter was aware of the circumstance.

It happened on one occasion, when the two were in opposite camps, that the leader was more than usually hard upon his opponent; and Carter, when it came to his turn to address the jury, observed:

"Gentlemen, it has been with great difficulty that I remained quiet during my learned friend's opening, but I know he hates interruptions, and if I had interrupted him he would have been sure to make a grievance of it. You have heard his version of the transaction; now you shall hear mine, and you will see what a very different complexion the case assumes. When my learned friend was speaking, I noticed you twelve gentlemen hanging on the silvery tones of his voice and seemingly believing every word he said. Don't trust him, gentlemen. I warn you. You don't know him as well as I do. He's not a Jesuit, but his brother is." And Carter then went on with his speech.

Warner Sleigh was, I think, one of the most remarkable men I ever met. He was very clever and

an excellent speaker, but from the time that he came—or, rather, ought to have come—to the years of discretion, he was never out of trouble and difficulties. He was certainly the most precocious young man I ever met; for he had been married three times, divorced twice, and bankrupt twice, before he reached the age of thirty.

His first wife eloped with the proprietor of a ladies' journal; and I shall never forget the account Warner gave me of the affair.

"All my misfortunes," he said, "happened to me through having my boots cleaned. I was living with my father at Stanhope Terrace, Hyde Park. One day as I was coming from the Temple I got my boots covered with mud, and, as I was engaged to dine out with a friend, I determined to go home and get them cleaned. I did so, and was proceeding on the underground railway to my friend's house, when I got into conversation with the lady who was the only other occupant of the carriage. Then, instead of keeping my appointment to dine with my friend, I saw the lady home, and she subsequently became my wife. So, you see, if I had not wanted to have my boots cleaned, I should never have married her."

About a year after his marriage, he said, he began to suspect the lady of infidelity. She was supposed to be on a visit to a relative, but the detective whom Sleigh engaged learnt that she was staying at the "Bear Hotel," Maidenhead, with the gentleman who subsequently

became the co-respondent. Sleigh engaged the services of Lockyer, the head-jailer at the Middlesex Sessions—a big, burly, powerful-looking fellow—and the two went off in search of the guilty couple. Arriving at the hotel at Maidenhead, they found the pair—so Sleigh informed me—partaking of breakfast in a private room. I asked him whether he assaulted the gentleman when the door was opened and the discovery made. His answer was :

"No ; I swooned."

Sleigh's second wife was the daughter of Mr. Bignell, the proprietor of the Argyll Rooms. She was not long in obtaining a divorce from him.

Poor fellow ! his was in truth a melancholy end. He went as rapidly down the ladder as he possibly could, and eventually he resolved to quit this country and try his fortunes in America. I helped him as far as I could to carry out this resolve, for he always came to me in his troubles ; but though he left England, he never reached America. On the voyage he was seized with a fit of delirium, and he was buried at sea.

It was the custom for every Serjeant, upon his elevation from the ordinary Bar, to select for himself a motto, which he forwarded to Serjeants' Inn ; and in reference to this custom a good story is told of a certain barrister who had enjoyed a considerable practice at the Old Bailey. He had been, as he was proud to tell you, the architect of his own fortunes, and upon being created Serjeant he selected for himself the motto : "*Ex sese.*"

Some legal wag, hearing of this, observed:

"It is a pity he tells only two-thirds of the truth. His motto ought to have been '*Ex* C.C.C.'"

Many of my readers will be aware that the words "Central Criminal Court" are thus very commonly abbreviated.

A very cruel observation was also made upon the elevation of Mr. Sleigh to the rank of Serjeant. In a room full of people he was asking some friends what motto he should select, whereupon somebody suggested that the best one would be: "Oh, my offence is rank."

The gentleman first alluded to, I may incidentally remark, was famous for his flowery similes, and for his extraordinary flow of bombastic and airy language; and it is reported of him that, upon an occasion when he was counsel in an action for libel brought by a provision merchant against a local newspaper, he said, in his address to the jury:

"My client, gentlemen, is a cheesemonger; and the reputation of a cheesemonger in the City of London is like the bloom upon a peach. Touch it, and it is gone for ever."

CHAPTER IV.

POLICE PERJURY CASES.

Charge against Matthew Hayes and William Barry—The alleged burglary at Gloucester Crescent, Regent's Park — A counter accusation—Conflicting verdicts—A cloud of witnesses—Some hard swearing—Letter from Mr. Ivory—Charge against Inspector Silverton, Sergeants Wiltshire and Briars, and Constable Smith —A remarkable story—Poole's evidence—The prosecutor's testimony—Account of the "search"—Mr. Newton's observations—The pawnbroker's evidence—Statement by the prosecutor's wife —What the magistrate said on giving his decision—The doubt in my own mind.

I HAVE been engaged in some remarkable cases in which members of the Metropolitan Police Force were concerned. One was tried in the autumn of 1866, before the Right Hon. Russell Gurney, the defendants being Matthew Hayes and William Barry, two constables of the S Division. As the charge was one of perjury, they were tried separately.

Barry, whose case was taken first, was accused of having committed wilful and corrupt perjury before Mr. Payne at the Middlesex Sessions; and he was further charged with having entered into a conspiracy with the other defendant to falsely accuse Charles

Pearce and Henry Dye of attempting to commit a burglary, at No. 63, Gloucester Crescent, Regent's Park, on the night of the 30th of August. Mr. Sleigh, myself, and Mr. Starling appeared for the Crown, the prisoner being represented by Mr. Cooper, Mr. Griffiths, and Mr. Francis Turner.

The case arose in this way. Pearce and Dye had been put upon their trial for the attempted robbery, and I, who appeared on their behalf, had met the charge with what amounted to a counter accusation against Hayes and Barry, the constables who had arrested them, and upon whose evidence the prosecution was based.

The police stated that there were indications which proved to a certainty that a burglary had been attempted at No. 63, Gloucester Crescent; and they went on to state that they had arrested the two youths close to the spot, under circumstances which undoubtedly indicated their guilt. Barry stated that, on seeing Pearce jump over the wall of the house in Gloucester Crescent and take to his heels, he gave chase, and overtook him after going about a hundred and fifty yards. Hayes deposed to the circumstances under which, in the same street and at the same time, he arrested Dye.

The defence I set up was that no robbery had been attempted, that the prisoners did not go near Gloucester Crescent on the night in question, and that, in point of fact, the story of the constables was a pure invention

from beginning to end. I called witnesses to show that, on the evening of the alleged crime, the prisoners spent their time at various public-houses, and that, at one of those places, they met the constables who arrested them. The prisoners were acquitted, and, in consequence, the constables were subsequently proceeded against for perjury.

The evidence having been fully gone into in the case of Barry, and the Judge having summed up, the jury retired to consider their verdict. After an absence of three-quarters of an hour they returned into Court and pronounced the prisoner "Not Guilty."

The situation, therefore, was a singular one. It amounted to this: the constables' statement was disbelieved at the Middlesex Sessions, and believed at the Old Bailey. But there still remained, of course, the charge of perjury against Hayes, as well as the charge of conspiracy against them both.

An application was made to have Hayes' case postponed until the November Sessions, and this was granted. When the trial came on, the same counsel appeared, but with an addition to their number, Serjeant Ballantine having been called in "special" in the defendant's interest.

In the interval that elapsed between the two trials, a considerable sum of money was placed at the disposal of Pearce and Dye, and this enabled them to produce a great body of further evidence. On the other hand, the Commissioners of Police supplied funds for Hayes'

defence; and thus it is manifest that no pains were spared to have the matter thoroughly threshed out.

I do not believe that in modern times—certainly not in my own experience—an equally large array of opposing witnesses has been brought into Court in connection with a single charge. Certainly in no other case have I heard such directly conflicting evidence. Unanswered, the testimony on our side would have been perfectly overwhelming. The question was—were Pearce and Dye arrested in Gloucester Crescent, as the police stated, or were they arrested, as they themselves stated, in Eversholt Street, about a mile away? Were the police, on the night in question, in the "Stationers' Arms"? Over and over again they swore that they were not; and, of course, as was urged, if their evidence could be discredited upon this point, it could not be believed on any other. Pearce and Dye asserted that, on the night of their arrest, they, with four companions, visited five public-houses; and particulars were given as to the duration of their stay in each. The last visit, it was stated, was paid to the "Stationers' Arms," at about one o'clock in the morning. They deposed that, while they were drinking at the bar, and quarrelling with one another, the two constables entered; and that, subsequently, when they all quitted the premises, the policemen took them into custody.

This story was borne out, in all its essentials, by no fewer than twelve persons, most of whom deserved to be

regarded as impartial witnesses. The four companions of the two young men also corroborated this version of the affair.

Pearce and Dye were youths of the artisan class, and that they bore good characters was apparently shown by the fact that the former's employer had been mainly instrumental in instituting the prosecution against the police.

For the defence, a host of constables, the landlord of the "Stationers' Arms," two barmaids from that establishment, and a number of other persons were called, and if their evidence, much of which was, of course, of a negative character, were to be believed, there could be no doubt that Pearce and Dye had been guilty of the attempted robbery. Their evidence, however, was not believed; for the jury found Hayes "Guilty."

There still remained the indictment charging the two constables with conspiracy, and I stated, in the absence of my leaders, that the prosecution had determined to apply for a *certiorari* to move this indictment to the Court of Queen's Bench, in order that it might be tried by one of Her Majesty's Judges and a special jury. The Recorder stated that, in his opinion, the course proposed was a very proper one to take. An application was then made to him to postpone the sentence on Hayes until the following session, and in this he at once acquiesced.

In the month of December the following letter appeared in the newspapers:

"THE POLICE PERJURY CASE.

"SIR,—As this case is about to enter upon a new phase, I beg that you will kindly allow me to lay before the public, through your columns, a brief explanation in respect of the serious insinuations cast upon my character by the defenders of the police. It may not be improper to state that I have been known as a rate-payer of the parish in which I now reside for about twenty years, and that I can refer with pride and satisfaction to the antecedents of my family in the same neighbourhood for very nearly a century. As to my connection with this case, it simply arose from the fact that one of the two lads accused of attempted burglary was in my employ, and that I have known him for a considerable time, and have confidence in his honesty. When I heard of the charge against him, I took a great deal of trouble to ascertain the grounds of it, and the more I inquired the more satisfied I became that, whatever his other errors or faults might have been, he was perfectly guiltless of this offence. There appeared to me to be but one course open then, and that was to defend and protect him. For three months I have laboured in this matter, with the following results: the two lads have been acquitted; one of their false accusers has been found guilty of perjury after three days' patient investigation; and the other policeman was acquitted owing to the sudden and unexpected production of evidence which, at the subsequent trial, was

held to be worthless. In carrying this case to its present stage, I have rendered myself liable for legal expenses to the extent of £250. Towards this the county has contributed £40, and a few friends, by subscription, £45, leaving me still responsible for a balance amounting to £165. Those who approve of what I have done will perhaps deem it a duty to contribute towards meeting the deficiency of

"Your obedient servant,

"JOHN IVORY.

"53, College Place, Camden Town.
"*December* 18*th*."

A *certiorari* in this case was duly applied for, and granted, but I am under the impression that no further proceedings were ever taken.

Another charge of considerable importance, affecting the conduct of the police and their dealings with suspected persons, was heard in the year 1871 before Mr. Newton, sitting as a magistrate at Worship Street Police Court.

Inspector George Silverton (to whom I had occasion to refer more than once in my earlier volumes), Sergeant Wiltshire, Sergeant Briars, and Constable Smith, were charged with having conspired with a man named Street, who had absconded, to commit wilful and corrupt perjury in order to obtain the conviction of a man named Urwin, upon a false charge of receiving a watch well knowing the same to have been stolen. Mr. Ring, a

solicitor, prosecuted, and the defendants were represented as follows: Silverton by myself, Wiltshire by Mr. Cooper, and the other defendants by Mr. Ribton and Mr. Besley.

The case for the prosecution was that the defendants, being desirous of obtaining a conviction against Urwin, had taken measures, in conjunction with Street and a man named Poole, a painter and glazier of the Kingsland Road, to attain that end. It appeared that a charge had actually been preferred against Urwin, but that he had been acquitted.

The principal witness for the prosecution was Poole himself, for, if he were to be believed, he had repented of the part he took in the alleged conspiracy. I shall reproduce the substance of his evidence, as it gives a tolerably exhaustive summary of the case for the prosecution. He said:

"On the night of the 1st of November, Street called at my house, and we went together to several public-houses. We afterwards went to a pawnbroker's shop, where I purchased a watch for fifteen shillings, which money was handed to me by Street. Leaving the pawnbroker's, we went to a jeweller's shop, where I bought a silver-gilt charm for sixpence. Street bit the charm in two, and then placed the watch in my pocket with half the charm attached to it. On arriving at the Balls Pond Road, Street, according to a mutual understanding, knocked me down and took the watch from me. On getting up I saw Briars, the detective, standing

close by. He said: 'All right, Bill, go to the station; I'm on the sick list, and can't go myself.' I then went to the police station, where I saw Silverton, and after waiting there some time, I left.

"The next day I met Briars and Street at a beer-house. The former treated me, saying that I could have what I liked and that I should be paid for the job he had spoken to me about. At another public-house I met Silverton, who took me aside and said: 'You must not say Street robbed you of the watch, because if you do we shan't be able to get a conviction.'

"On the following day Wiltshire took me to the police station, and on the way advised me not to swear to the man they had got for stealing the watch, as he could prove an *alibi*. At the station Silverton showed me a gold watch and asked me if it was mine. I said: 'No.' I was then shown a silver watch, and I identified it as my property.

"Urwin was taken before the magistrate on the charge of receiving the watch, and was remanded for a week. After that I went with Silverton, Wiltshire, Smith, and a detective to a public-house, where Silverton told me that if anybody from the prisoner's house offered me money, I was not to take it, but was to allow the person to be in the back parlour so that he might come and arrest her. Silverton told me that the person to come would in all probability be Mrs. Urwin, the wife of the accused.

"Some days afterwards I saw Silverton again, and I

then told him that unless Urwin was at once discharged I would tell all. Silverton called me a —— scoundrel and a —— traitor, and said: 'Don't you think you are coming here to frighten or intimidate me.' I replied: 'I've not come here to intimidate you, but I've come here to do justice.' Urwin was committed for trial, and I attended the Sessions and saw him acquitted."

To corroborate this statement, a publican named Hewitt was called, and swore that he saw Street and Poole in his house, and heard the former tell the latter that he should be "paid for the job." A man named Day also gave evidence. He deposed that, at the time of the alleged robbery, Urwin was at his house, and that, while there, he became intoxicated.

The next witness was Urwin himself, who was the prosecutor in the case. He described himself as a marine-store dealer, and, in the course of his evidence, said:

"On the night of the pretended robbery I was at the house of a man named Day, the last witness. I became intoxicated, and slept at the house that night, and remained there a portion of the next day. Soon afterwards Inspector Silverton and Smith came to my house, and, after making some inquiries, the former charged me with knocking Poole down and stealing his watch. I stated where I was on the night he said I did this, and added that the charge was a false one. I told him that I had been with Day,

and we proceeded to Day's house, but he was not at home. I was taken to the station, but I was kept till midnight before any charge was made against me.

"In the meantime my wife was brought to the station, and a silver watch was produced, which, it was pretended, had been found at my house. Silverton said he would allow my wife to go home, and he told her that it would go well with me if I gave information about certain other persons who were wanted on other charges. Overhearing this remark, I said: 'I know nothing about them.' Silverton then charged me with receiving the watch, knowing it to have been stolen. I was subsequently had up before the magistrate and committed for trial."

In cross-examination by me, Urwin admitted that he had been four times convicted, but that, since 1868, he had "retired from that sort of business."

Mrs. Urwin confirmed her husband's statement, and gave a description of the manner in which the police had "searched" her house. She said:

"They asked me if I had any jewellery. I replied that I had, and they then commenced their search, Smith, the constable, saying to me: 'You had better keep your eye on us while we do it.' He then went to the end of the sofa, and produced a watch which he said he had found tucked under the pillow."

Mr. Newton remarked, with some severity:

"What right have police officers to go into a man's

house and search it without a warrant from the magistrate ? "

Inspector Silverton, speaking from the dock, said :

" It is the usual practice to search the house of a man who is charged with felony."

Mr. Newton retorted :

" Then the sooner that practice is altered the better. It is the law that no man's house shall be invaded, and it is an infringement of the liberty of the subject to do so."

It transpired subsequently that what the police had done, had been done by virtue of orders received from Scotland Yard.

Among the witnesses called by the prosecution was a pawnbroker, who said he remembered selling to Poole, a few nights before the alleged robbery, the silver watch produced in Court. Poole's wife also gave evidence. She deposed that, on the evening of the 10th of November, Wiltshire called at their house, and that, on opening the door to him, she asked him his name. He replied : " Mr. S.," and he asked her to tell her husband that he had called. On another occasion Street visited the house, and, shortly afterwards, Silverton and Wiltshire. Silverton said : " I am afraid your husband has been bribed by those people, as they have a hat-full of gold and wouldn't mind paying a hundred to get Urwin off." He also said : " If your husband makes his appearance before the end of the week, I'll make it all right with him, and be a friend to him. If he doesn't

come I shall have to get a warrant issued for his apprehension." In reply to a further question, Mrs. Poole stated that, at that time, her husband was away from home, and that he had not been near the house for several days previously.

No witnesses were called for the defence. We delivered our addresses, and Mr. Newton at once gave his judgment. After referring to the great importance of the case, he said he did not think the witness Poole had been sufficiently corroborated. That person, according to his own showing, had been a co-conspirator with the defendants, and he was not, therefore, a witness who could inspire great confidence. "There are," concluded Mr. Newton, "circumstances in the case which I certainly do not like, and which are full of suspicion, but I do not feel myself justified in sending the case before a jury;" and the defendants were accordingly discharged.

For my own part, I must confess that I have never been able to satisfy myself upon which side the truth lay.

CHAPTER V.

TWO AMUSING TRIALS.

'The Lady and her Page"—Family influence—The boy and the alleged attempted burglary — An internal disorder — Heavy doctors' fees—A page-boy without his livery—Taking eminent names in vain—Description of the prosecutrix—A ludicrous cross-examination — Reluctant admissions — Evidence of the prisoner's mother—Charge against Herbert Crellin, the actor—The intrigue with Mrs. Brown—Pawning the jewellery—The legal question involved—Precedents—"The benefit of the doubt" —A theatrical display.

PERHAPS the funniest trial that I was ever concerned in, was one known at the time as the case of "The Lady and her Page."

The prisoner was a page-boy, sixteen years of age, and he was charged with obtaining, by false pretences, the sum of £191 from his mistress, Jane W——. Mr. Besley and Mr. Moody appeared for the prosecution, and I represented the prisoner.

Mr. Besley, in his opening, stated that the prosecutrix was a lady of sixty-five, with an income to be reckoned by thousands. She occupied a good position in society, and had a large circle of friends. If the

defence of the prisoner were proved, it would be the duty of the jury to acquit him, for that defence was to be, he understood, that the relations between the parties were anything but those of mistress and servant. The boy was taken into the service of Miss W —— at the age of eleven, and he had always been treated by that benevolent lady with the utmost consideration. Her kindness had, indeed, extended to various members of his family. She had engaged his mother as cook, and she had also taken his two brothers into her employment, the one as butler, and the other as coachman.

From the moment the boy entered the service he seemed to have obtained a considerable hold over his mistress. One day he pretended to have discovered that a burglar had attempted to enter the house, and thenceforth Miss W—— looked upon him as a person specially deserving of trust and confidence. He was given to understand that he might do pretty well what he liked ; and it was in consequence of certain allegations he made that the entire household was reorganised.

Shortly after establishing himself upon this footing, he represented to his mistress that he was suffering from an internal disorder that required medical attendance ; and, in consequence, she, from time to time, gave him sums of money to pay his doctors' fees. The prisoner stated that the ordinary medical practitioners were not sufficiently intelligent to cope with his ailment, and he expressed a wish to consult Sir William Gull. Miss W—— said he might do so, and

supplied him with money for the purpose. Shortly afterwards he introduced the name of Sir James Paget, with a similar result.

He always informed his mistress that his appointments with the various physicians were at night, and thus he obtained leave of absence of an evening, when, no doubt, he found opportunities for disposing of his ill-gotten gains. He would often stay out all night, and spend the greater part of the following day in bed, suffering, as he alleged, from the weakness induced by the doctors' operations.

The prisoner requested his mistress not to mention the fact that he was being attended by Sir William Gull and Sir James Paget, who had, he said, declared that their reputations would suffer if it became known that they were treating a page-boy. Ultimately, so great a hold did the lad acquire over his mistress that he was allowed to discard his livery, and go about dressed like a young gentleman.

After the lady had been victimised for about a year, her suspicions became aroused, and she suggested to the prisoner that she would herself call upon Sir James Paget, to learn how his patient was progressing. The lad then produced a document purporting to come from Sir James, which stated that the boy was cured of his illness, but that, being still very weak, he required plenty of stimulants and good nourishment, with change of air and scene. Not being satisfied, Miss W—— applied directly to Sir William Gull and

Sir James Paget, who informed her that they knew nothing about the case. A warrant was then applied for, and the prisoner apprehended.

Such was the history of the case as set forth by the prosecution.

I shall never forget the appearance of the prosecutrix as she entered the witness-box. She was about as ugly a specimen of womanhood as I ever beheld. During her cross-examination by me she made a most ludicrous exhibition of herself. She admitted that she had caused the boy to sleep in the room adjoining her own, explaining that she had made this arrangement because she was afraid of burglars.

I asked her whether it was true that she had allowed the youth to kiss her hand.

"Yes," she replied; and then, attempting to get up the semblance of a blush, she added: "but I would not permit him to touch my face."

"Did you allow him to go about the house playing a concertina?" I asked.

"Yes," she replied.

"And did you permit his photograph to be upon your drawing-room table?"

Again she replied in the affirmative.

Upon being pressed by me, the lady further admitted that her page had been in the habit of going about the house singing comic songs; and while I was questioning her on this point, a scene occurred that caused roars of laughter in Court.

"Will you tell me, if you please," said I, "the names of any of the comic songs that he was in the habit of singing to you?"

At first she smiled and simpered, and tried to avoid the question.

"Come, now; don't you remember one of these songs?" I said.

Still simpering, she began to wriggle about in the witness-box, much after the fashion of an eel.

Upon my begging her to stand still and answer the question, she became more and more confused; but finally, after again vainly trying to summon up a blush, she said:

"Oh, really, sir!—must I? I do remember—but must I?"

"Certainly, madam," I replied, "and don't give me all this trouble. What was the name of the song?"

"I don't like to—I really can't," she faltered.

"But, madam, you must, and you shall," I exclaimed.

"Well, then," she said, "as far as I can remember, it was this," and then, half stammering, and half laughing, and certainly looking the most ludicrous object I ever beheld, she blurted out by degrees: "He used to sing, 'May all old maids be blessed with twins if ever I cease to love.'"

Needless to say, all in Court were convulsed with laughter.

The doctors were called to prove that they had

never attended the page-boy, and had never taken any fees from him; and this, with some immaterial evidence, closed the case for the prosecution.

After making my speech for the defence, I called the mother of the boy. She stated that she was the cook in Miss W——'s service; and her evidence went to show that her mistress had treated the boy with the greatest possible affection. On one occasion she heard her son say to Miss W——: "My dear, did you not say that you love me like the apple of your eye?" to which the lady replied: "Yes, my love; I would rather lose my right eye, and spoil my beauty, than part with you."

The witness said that the only reason why Miss W—— had turned round upon the boy was because he said to her: "I am sick of this sort of thing, and I shall leave here and go to America." He had always addressed his mistress in the most familiar terms, and upon one occasion had said to her: "Miss W——, put a button on my shirt"—an announcement on the part of the witness that was received in Court with much laughter.

The mother of the prisoner also deposed that she had heard him sing to his mistress: "My pretty Jane, my dearest Jane, wherefore look so shy?" He did so while he sat upon the arm of her chair and looked up into her face.

After a summing-up from the Judge that was certainly very much in favour of the version given by

the prosecution, the jury retired. They were locked up for several hours; but, being unable to agree, they were ultimately discharged without giving a verdict.

Another very amusing trial which took place at about this time was that of Herbert Crellin, the actor, who was charged with stealing a quantity of jewellery, the property of Mr. William Charles Brown, with whose wife he had eloped.

The case, which was heard before Sir William Bodkin, excited a great deal of interest, and the court was crowded.

Mr. Serjeant Parry, specially retained, Mr. Straight, specially retained, and Mr. Harris appeared for the prosecution, and the prisoner was defended by me.

Among the articles which, according to the prosecution, Crellin had stolen, were two diamond rings, a gold snake ring, a ruby and diamond ring, and an emerald and diamond ring.

The reason why the case excited so much interest was because it turned upon a question affecting the whole nature of matrimonial relations, that is to say, in their legal aspect.

For a number of months Crellin had been engaged in an intrigue with the wife of Mr. Brown, who was a well-known man milliner—or rather, vendor of ladies' hats and bonnets—carrying on business in Bond Street. This intrigue had commenced in the usual way. The parties met by chance, and an intimacy rapidly grew up between them. Crellin was a tall, stalwart, good-

looking fellow, and the lady was showy, with a profusion of apparently golden hair. When the intimacy had lasted for some months, Mr. Brown taxed his wife with her infidelity, and, after a serious quarrel had taken place, she left the house, and flew for an asylum to her paramour.

It happened that, on leaving her house, Mrs. Brown took with her all the jewellery she possessed. This jewellery, some of which had been given her by her husband, was worth about £500.

For some time after her flight, Mrs. Brown lived with Mr. Crellin as his wife. There did not seem to have been much concealment about the matter, for the injured husband traced them without any difficulty. Finding his wife in the company of Crellin, he then and there accused him of having stolen the jewellery. Crellin was arrested, taken before the magistrate at Hampstead Police Court, and committed for trial.

I do not think I ever heard a more lucid and able address than that which was delivered by Serjeant Parry in opening the case on behalf of the prosecution. His magnificent and solid appearance, like Serjeant Shee's, invariably had a great effect upon the jury in cases of this sort. Both these gentlemen were always most successful when literally boiling over with virtuous indignation, and when descanting upon gross immorality of the kind that this case revealed.

There were found upon Crellin, at the time of his arrest, several of Mrs. Brown's articles of jewellery; and

it was given in evidence that the two had been living on the proceeds of various valuables that he had pawned.

By the laws of this country, as I need scarcely remind my readers, the whole of a married woman's property, unless there be a special arrangement to the contrary, belongs to the husband. In the present case the jewellery was found in Crellin's possession, and as it could not be suggested that the transfer had taken place with Mr. Brown's consent, the logical deduction was that it had been stolen. Besides, it is a general principle of law that a man engaged in a criminal act is liable for its indirect, as well as for its direct, consequences, and a case of larceny concomitant with the general offence of adultery has always been looked upon in the strictest manner by our law. In one of the leading cases on the subject, that of The Queen *v.* Thompson, the adulterer was convicted of theft because he was found appropriating certain articles carried off by the wife from her husband's house, although the acquisition of the property was not supposed to have been the motive of the seduction. In another case, The Queen *v.* Ffitch, the prisoner was convicted because, on his arrest, he was carrying a bandbox containing the wearing apparel of the wife; though on an appeal—or rather, on the matter being referred to the Court for the Consideration of Crown Cases Reserved—this decision was quashed.

For the defence, I drew attention to the position

of the husband. He was a wealthy tradesman, with business premises in Bond Street, and a private house in the West End, and I pointed out that he lived in a sumptuous, not to say extravagant, way. Considering, therefore, the lady's station, was there anything remarkable in her wearing articles of jewellery to the value of £500?

But it was pointed out subsequently by the Judge that this reasoning could only apply in a case where the jewellery had taken the form of, say, a pair of ear-rings in the ears, a brooch attaching the shawl, and a ring or two on the fingers. "Common sense, gentlemen," said Sir William Bodkin, in that deadly way of his, "precludes the supposition that five hundred pounds' worth of jewellery could be deemed ornamental articles of apparel such as a person would wear day by day."

One of his lordship's directions to the jury, however, was certainly in my favour. He told them that they must not find the prisoner guilty should they be of opinion that the erring wife believed the property to be her own, or that she had led her paramour to imagine, on reasonable grounds, that such was the case.

The jury evidently took the view that Crellin was of opinion, and had been led to believe, that the property belonged to Mrs. Brown, for they pronounced a verdict of acquittal.

The Judge, in discharging the prisoner, told him

that the jury had given him "the benefit of the doubt." I confess I never could understand what this phrase means. There is no benefit of the doubt. Every person is presumed to be innocent until he or she is proved to be guilty. If there is a doubt in the minds of the jury, it follows that guilt has not been established, and, consequently, that the person is, in the eyes of the law, innocent.

Upon the jury pronouncing the verdict, Crellin sank to the floor, buried his face in his hands, and gave way to hysterical emotion. The next minute he was caught up in the arms of his brother. It would seem, however, that this emotion was not very lasting, for Crellin and the lady very soon left the Court in company, apparently not much affected by what had taken place.

CHAPTER VI.

SOME SERIOUS CHARGES.

Lord Carington and Mr. Grenville Murray: A charge of assault—*The Queen's Messenger*—A horsewhipping—Disgraceful scene in Court—Fighting for the strong-box—Interference of the police—Observations from the Bench—Mr. Grenville Murray charged with perjury—His flight from England—A tragedy in humble life: the case of Henry Pace—Sad story of seduction—The heart-broken father—A terrible retribution—Public interest aroused—Mrs. Pace's pathetic statement—Suicide of the prisoner—Lady Cardigan's charge against the groom—Unreliable evidence—A robust cross-examination.

One is sometimes counsel upon the unpopular side; and this was certainly my case in connection with a charge preferred against Lord Carington, in the year 1869, for an assault upon Mr. Grenville Murray. The case was originally heard before Mr. D'Eyncourt, the magistrate at Marlborough Street, when Mr. Gill (not the present distinguished criminal barrister) and myself appeared for the prosecution, and Mr. Hardinge-Giffard, Q.C., and Mr. Thesiger, for the defence.

Lord Carington, who had then only just succeeded

to his title, was in the habit of driving a four-in-hand coach to Windsor and back. This circumstance attracted the attention of the editor of *The Queen's Messenger*—a periodical rivalling in scurrilous personalities the old *Satirist* and *Age*—and in its columns appeared, under the title of "Our Hereditary Legislators," an article furnished with the sub-heading "Bob Coachington: Lord Jarvy." Without going into the details of this article, suffice it to say that it was a most infamous libel upon Lord Carington and his family.

It was pretty generally understood that the editor of this paper, and the person responsible for its contents, was Mr. Grenville Murray; and, acting upon this belief, Lord Carington, shortly after the appearance of the libel, waited outside the Conservative Club (of which this contemptible journalist was a member), and, as soon as the opportunity offered, "struck him with a horsewhip."

Such, indeed, were the terms in which Mr. Murray himself described the assault; but I should say, from my knowledge of the noble lord, that he did not play with his victim, but gave him as sound a thrashing as the heart of man could desire.

Having spent his strength, Lord Carington lowered the whip and observed:

"My name is Lord Carington. You know where I am to be found."

A correspondence afterwards took place between the parties concerned and the committee of the Conservative

Club; and a number of letters on the subject were published in the daily press. Mr. Murray wrote to deny most emphatically that he was in any way connected with *The Queen's Messenger*, or that he was in the slightest degree responsible for the publication of the libel.

Copies of the paper were produced in Court, and it was seen that they contained libels upon some of the highest and noblest in the land, including His Royal Highness the Duke of Cambridge. The cross-examining counsel, Mr. Giffard, placed these copies of the paper into the hands of Mr. Murray, who, on his oath, repeated again and again his assertion that he was in no way responsible.

After hearing the evidence, the magistrate committed the defendant for trial.

When the doors of the Court were opened, at the conclusion of the case, a scene took place that has probably never been paralleled.

I must mention that, in the course of the hearing, certain documents alleged to have been stolen from the offices of *The Queen's Messenger* were referred to as being in the hands of Lord Carington's solicitor; and, without going into particulars, I may state generally that, while those holding these documents were most desirous of retaining possession, there was an equal anxiety on the other side to recover them.

The defendant's solicitor, standing in the well of the Court, was depositing the precious papers in a strong-box—and proceeding with his task as rapidly as the

movements of a crowd of noble lords and honourable gentlemen would allow him—when, on a sudden, a violent struggle commenced.

In the centre of the Court was a surging mass of human beings. Cries of "Police! police!" rang through the building, and the voices could not have been more urgent were murder being committed. All was confusion. Peers, policemen, solicitors, clerks—all were involved in the wild mêlée. Nothing less than a free fight was in progress. Books, papers, inkstands, and pens were scattered; hats were knocked off and smashed; and blows were freely exchanged.

The only persons not concerned in the scuffle were the magistrate—who had been on the point of leaving the bench when the disturbance commenced—the counsel, and the Marquis of Townshend, who, at the commencement of the engagement, retired hastily, with as much dignity as circumstances would permit, into a private room.

At the expiration of a few seconds, several constables rushed into the building, and a police officer excitedly shouted out the order to his subordinates: "Shut all the doors, and let no one pass out."

In the centre of the tumultuous crowd a terrible struggle was taking place for the possession of the strong-box. The defendant's solicitor, though an elderly man, held it with the grip of a vice, and withstood all onslaughts most manfully. One of his assailants took him by the throat and well-nigh choked him, while

others sought to wrench away the box. Fortunately the pressure of the crowd was too great to allow them to absolutely strike him.

Lord Carington, regardless of the fact that he was still nominally in custody, sprang over the desk behind which he had been seated, fought his way through the throng, and laid violent hands on those who sought to relieve the elderly solicitor of his charge.

It seemed for a time as though the official mind were completely paralysed by this outrageous defiance of the established decorum and dignity of a Court of law. However, in a few minutes the police took prompt measures. They rushed into the struggling group, and soon succeeded, though not without the exercise of physical force, in capturing the box and taking it into custody.

Though its primary cause had thus been removed, the tumult did not at once come to an end. The truth is, a new source of disorder took the place of the old. Persons in high positions—that is to say, standing on tables and desks—displayed great zeal in pointing out to the police individuals below who they declared had been mainly instrumental in occasioning the riot. Arrests followed, and several prisoners were hurried out of Court, among the number being Colonel Campbell, who was subsequently charged with assaulting the police.

It was fully a quarter of an hour more before order was restored. Then Mr. Giffard, addressing the magis-

trate, asked whether his client's solicitor might again have the box containing the documents, and whether he might receive police protection while conveying it from the Court to his office.

Mr. D'Eyncourt replied:

"I am happy to say that the proceedings this afternoon have never been equalled in my experience. I directed the police, when I saw what had occurred, to take possession of the box. Of course the person who brought it here is entitled to it. An act of extreme violence has been committed in my presence. The policemen who have the box will be good enough to hand it over to the solicitor, and see that he is properly protected."

So ended this remarkable scene.

Pending the trial of Lord Carington for assault, his lordship brought a charge of wilful and corrupt perjury against Mr. Grenville Murray, and it came before Mr. Knox at the Marlborough Street Police Court.

The allegation was that Mr. Murray had committed perjury before Mr. D'Eyncourt in denying that he was directly or indirectly the author of the libel concerning Lord Carington in *The Queen's Messenger*.

Several witnesses traced the history of the paper, and it was proved by them that Mr. Grenville Murray had been connected with it for a considerable period. The evidence went to show that, at the end of 1868, he communicated with a printer named Rankin, who

carried on business at Drury Court, Strand, and caused him to submit an estimate for the printing of *The Queen's Messenger*. The estimate was at once approved, and the paper started. Mr. Rankin was informed by Mr. Grenville Murray that he himself did not wish to be identified with the publication, and that his son, Mr. Reginald Murray, would be the manager and the registered proprietor.

It was, however, proved to demonstration that *The Queen's Messenger* was solely managed by Mr. Grenville Murray, and, indeed, that he wrote nearly every line appearing in its columns.

After two hearings, the accused was committed to take his trial at the Central Criminal Court.

Soon after this committal, the charge of assault against Lord Carington came on at the Middlesex Sessions, the same counsel appearing as before. His lordship was found guilty upon a charge of common assault, but the verdict of the jury was accompanied by an addendum to the effect that the offence was committed under circumstances of the greatest possible provocation. The punishment of course was a merely nominal one. Lord Carington was bound over in the sum of £100 to keep the peace for twelve calendar months.

If the much more serious charge of perjury brought against Mr. Grenville Murray had, in due course, been tried, there can be no doubt that the accused would have been found guilty and severely punished. As a

matter of fact, however, it did not again come into Court. My experience has always been that these libellous writers have not one spark of courage, and Mr. Grenville Murray was by no means an exception to the rule. Though under very heavy recognisances to appear, he let in his securities and decamped. A warrant was issued for his apprehension, but he had put himself outside the jurisdiction of the Criminal Courts of this country. He never returned, but died in obscurity abroad.

A curious case, in which a tragedy of humble, artisan life was concerned, was tried, some few years ago, before Chief Justice Coleridge at the Central Criminal Court. Mr. Poland, myself, and Mr. Avory prosecuted on behalf of the Crown, while Mr. (now Sir) Edward Clarke and Mr. Maloney appeared for the defence.

The prisoner was Henry William Pace, who was charged with the wilful murder of Thomas William Cole, his fellow-workman ; and the circumstances of the crime, as revealed at the trial, were very pathetic.

Both the deceased and the accused had been employed at some glass-works in Clerkenwell, the latter occupying the position of foreman. The two men, from the moment they met, became close friends, and the result was that Cole went to live at Pace's house at Enfield. The little home was a very happy one. Pace had an affectionate wife, and a pretty, merry-hearted daughter, named Lizzie, of whom he was very proud. Between her and Cole, as was not unnatural, an attach-

ment grew up. Pace did not discourage it, and the young couple were looked upon by the neighbours as engaged, and shortly to be married.

In course of time Cole left his foreman's house, and went to live at Clerkenwell. Shortly afterwards, Lizzie disappeared from her home, and was sought in vain by her father, who, according to several witnesses, was a changed man from the moment she went away.

After the lapse of several months, Pace discovered that the seducer of his child was none other than Cole, and that the two were living together in Clerkenwell. The broken-hearted father begged his friend to marry the girl; but a deaf ear was turned to this entreaty. Not long afterwards Pace learnt that his daughter had given birth to a child.

Grief drove the poor fellow almost mad. According to the evidence, he hardly slept at all at nights and scarcely ate anything. The members of his family had to keep an anxious watch upon him, taking care that razors, and other deadly instruments, did not come within his reach. For some time he was quite incapacitated for work, and remained at home; but eventually he rallied sufficiently to return to his daily labours.

One morning Pace and Cole found themselves the sole occupants of a small workshop. What actually took place it is impossible to say; but a great noise was heard, and several persons rushed in to ascertain the cause. Cole was lying upon the floor in a dying con-

dition, and Pace was standing over him, with an iron instrument, called a "spanner," in his hand.

The injured man was taken to the hospital, where he almost immediately died, and the suspected murderer was hurried off to the police station, muttering a confession of his guilt.

Pace undoubtedly took the law into his own hands, but, having regard to the circumstances of the case, could his crime be called wilful murder? There was not the slightest proof of premeditation.

After a short consultation, the jury returned a verdict of manslaughter, the foreman stating that they were unanimous in strongly recommending the prisoner to mercy. On the following day his lordship sentenced the convicted man to eighteen months' imprisonment with hard labour.

The case attracted considerable public attention, and Pace became the object of apparently universal sympathy. The sentence was considered to be too severe. Leading articles expressing this view appeared in the newspapers, and special attention was given to the case by *The Daily Telegraph*. In the columns of that journal there appeared an article entitled, "A Ruined Home," in which the writer gave an account of a visit he had paid to Pace's house at Enfield.

He had had a conversation with Mrs. Pace, who gave a very touching account of what took place on the day of the crime. As her husband was about to start for his work in the morning, she reminded him that he

had forgotten to kiss his infant child. Turning back, he caught the boy up in his arms, saying: "Good-bye, my boy, and God bless you. May you never be as unhappy as your wretched father." He stood for a moment as if buried in thought, and then rushed frantically from the house.

"For the first time," said the wretched woman, "he had forgotten to kiss me." Running to the door, she cried: "Kiss me, Harry! Come back and kiss me!" but he had rushed down the road, and was out of sight.

A subscription was opened, on behalf of the family, in *The Daily Telegraph*, and for days its columns were filled with the sympathetic letters of those who responded to the appeal. A considerable sum was raised.

But there was a terrible sequel to this tragic story. Four months after Pace was sentenced, he committed suicide in prison, by hanging himself with his braces from the grating of the airholes at the back of his cell. Evidence was given to show that, for several days previously, he had been very depressed and strange in his manner; and a verdict was returned to the effect that the poor fellow committed suicide while of unsound mind.

An odd case was tried, about twenty years ago, before Mr. Bodkin, that illustrated how positive ladies —especially ladies of the *beau monde*—can be in swearing, and how little they ought to be relied upon.

A man named Robert Lilley, groom of the chambers

to Lord Cardigan, of No. 3, Portman Square, was charged with stealing a cheque for £18 16*s*. He was prosecuted by Mr. Poland, and defended by Mr. Huddleston, Q.C., specially retained, Mr. Sleigh, and myself.

For eleven years Lilley had been in a position of trust in the household, his noble employer having entertained the highest opinion of him.

The Countess, who was called as a witness, deposed that, on Shrove Tuesday, she enclosed a cheque for £18 16*s*. in a letter addressed to certain tradesmen in Brighton; and she went on to state that she gave the same to the prisoner, with instructions to register and post it. This she swore most positively, over and over again, and nothing could shake her statement.

The cheque did not reach its destination, but it was presented at the bank and cashed, several days after it was drawn. One of the £5 notes given by the cashier who took the cheque, was traced to John Hayes, the porter at Lord Cardigan's, and this man swore that the prisoner gave it to him to change. Therefore, if the evidence of the Countess and the porter were to be believed, the jury had no alternative but to convict. What they did, however, was to acquit the prisoner; and there can be little doubt that the decision they arrived at so quickly was a sound one.

The accused met the charge with the simple explanation: "I have not the slightest recollection of receiving the letter from Lady Cardigan." Of course

the whole question resolved itself into whether or no the Countess was correct in her statement. She was obliged to admit to Mr. Huddleston, that, only a short time previously, another charge of robbery had been brought, and unjustly brought, against the servants of her household. It appeared that the police were called in, and that a search was made, high and low, for certain valuable articles of jewellery alleged to have been stolen — which articles of jewellery were ultimately found in her ladyship's own pocket. The Countess admitted that, if the missing property had not been found in this way, her belief as to the guilt of her servants would have remained unshaken.

The witness next in importance to her ladyship —namely, the porter—cut up very badly in the box. It transpired that he had been suspected of dishonesty in a former situation, and had assumed a false name on entering Lord Cardigan's service. Another £5 note that was undoubtedly part of the payment of the cheque, had been changed by him, under a further false name, at a shop in London; and it was given in evidence that his wife had been unusually "flush" of money a short time after the robbery.

Upon a verdict of acquittal being pronounced, loud cheers were raised in Court, and it was manifest that the friends of the prisoner had mustered there in force.

I was greatly struck by the robust cross-examination of the two principal witnesses by my leader. It was, indeed, a masterly piece of work, and it proved the

truth of the remark once made to me—and to which I referred in my earlier volumes—by Sir Hardinge-Giffard, when Attorney-General. "My dear Williams," he said, "the place to learn the art of cross-examination is the school where you and I graduated."

Huddleston, in his early days, had enjoyed an extensive practice at the Old Bailey and the Middlesex Sessions.

CHAPTER VII.

SHARPERS AND THEIR VICTIMS.

A mock auction case—The prosecutor's story—Involuntary purchases—The tea and coffee service—Interviewing the jeweller—Extraordinary career of a mock auction clerk—A Drury Lane assistant, a showman, and a "puffer"—Sir Thomas Chambers' exposition of the law—A "horse-chaunting" case—Two docile horses—The conspiracy unmasked—Betting prosecution at Windsor—The disinterested motives of the prosecutor—A nominal penalty—"Groans for Bacchus."

A CASE illustrating by what devices some knaves live, and how readily persons become their dupes, was that of two men, Theodore Levine and Charles Wood, who were charged with obtaining a sum of money by false pretences.

Mr. Metcalfe and myself prosecuted, and the prisoners were defended by Mr. Sleigh and Mr. Oppenheim.

The prosecutor, whose name was Barron, was a young man from the country, and his story was a pathetic one. He said he came up to town from Hertfordshire—where he lived on his property—in order to visit the Cattle Show. One day, as he was

standing on the pavement at Ludgate Hill, an auction-room attracted his attention. He entered it, and found himself in the presence of five persons—Levine, Wood, two women, and a man whose name he did not know. Levine was in the rostrum, and Wood stood on his right. The latter bid for several articles that were put up for sale. Those articles appeared to be electro-plated goods. Other things were knocked down to one of the young ladies (Levine's sister, as it afterwards transpired), who was stated to have frizzly golden hair. A tea and coffee service was put up for sale, and was described by the auctioneer as being made of the best electro-plate, lined with gold. It was started at £6, Levine remarking that the price anywhere else would be £20; and it was ultimately knocked down for £7. Upon the fall of the hammer, the auctioneer bent forward and asked the witness for his address. As a matter of fact, the latter had not made a bid, but Levine said to him:

"The lot is knocked down to you. You need only pay a deposit."

"I felt quite sure," said Mr. Barron, in giving his evidence, "that I had not bid for the goods; but sooner than have any bother about it, I paid the £7."

In reply to a question, he said that the statement that the service was made of the best electro-plate, lined with gold, and "worth £20 anywhere else," influenced him in parting with the money.

A number of other articles were afterwards put up

and sold, Levine informing the prosecutor that five or six lots had been knocked down to him.

The young man from Hertfordshire, submitting like a lamb, paid the money and took his departure, laden with the goods that had been foisted upon him. Glancing across the road on emerging from the auction-room, he espied a large jeweller's—Mr. Benson's—and he thought it would be only wise on his part were he to call in at that establishment to formally verify the value of his purchases. He at once entered the shop, and submitted the goods for inspection, whereupon he was informed by the courteous gentleman behind the counter that they were well-nigh worthless.

Clearly, under these circumstances, there was only one course for Mr. Barron to adopt. He would at once return the goods, and take his money back.

But it is one thing to resolve and another to execute. Mr. Levine declined to return the money—nay, he treated the proposal with ridicule.

To support their case, the prosecution called a man named Clements, who described himself as an auctioneer's assistant. He had been in the employment of Levine, he said, for the past three months, and he was present in the auction-room on the occasion of Mr. Barron's visit. His duty was to bid for goods, and to persuade persons to buy them; and for his services he was paid four shillings a day.

During his cross-examination, Clements gave some very amusing particulars of his career. He said that

he had once been an "assistant at Drury Lane Theatre," and upon being asked what his duties were in that capacity, he said: "To walk the stage as a soldier, or anything." From Drury Lane Theatre he went to Astley's, where he was paid two-and-sixpence a day, his function being "to fill up and appear to be one of the public." He was engaged in this way for two months, and then he "went down to Deptford to help exhibit a giant." He had to stand outside the show and call the people in; but the work did not suit him, because, as he put it, there was "too much 'ollering." He now returned to Astley's, and after remaining there a short time, went down to Hastings, where he was employed as a clerk at a mock auction. After tarrying at Hastings six weeks, he was transplanted to Oxford Street, London, where the Hastings firm of mock auctioneers had opened a branch. His remuneration here was three-and-sixpence a day. His next engagement was with Mr. Levine at Ludgate Hill.

The witness was asked how he should describe himself in reference to the duties he discharged in the auction-room. He replied that he was "a puffer." Questioned as to why he had withdrawn from the business, he observed, with a smile, that he "intended to turn over a new leaf."

A number of witnesses were called to prove that the property bought was practically worthless. No pains were taken to controvert this evidence, and I believe

the defendants knew quite as well as any lawyer that it was not necessary to do so.

At the end of the case for the prosecution, Mr. Sleigh contended that, having regard to the decisions already arrived at by Mr. Baron Bramwell, and Mr. Justice Wills, his clients could not be convicted, as the offence only amounted to misrepresentation of the quality of commodities sold, which was not the proper subject of an indictment. We for the prosecution argued that, even supposing this contention were sound, it did not affect the conspiracy counts.

The Common Serjeant (Sir Thomas Chambers), after consulting with the Recorder (Mr. Russell Gurney), said:

"As the counts for false pretences cannot be sustained, the counts for conspiring to obtain by false pretences must also fail. It is most important not to bring within the criminal law the ordinary enhancing of the quality and value of goods by the seller. There is always a conflict of knowledge and skill between a buyer and a seller, the one wishing to buy as advantageously, and the other wishing to sell as advantageously, as possible; and it would be very dangerous to extend the criminal law to such cases. There is, therefore, no case of conspiracy for the jury to consider."

It was exceedingly curious to watch the faces of the two defendants during the Common Serjeant's exposition of the law, which they evidently knew quite as well as he did. With charming *sang-froid*, they kept nodding

their heads in approval of every sentence that he uttered.

I was once consulted in a case of "horse-chaunting" of a somewhat extraordinary description.

An advertisement was inserted in *The Times* and *The Morning Post* to the effect that two cobs, possessing every quality that could commend them, were for sale, and could be viewed in a certain stable in the neighbourhood of Park Lane. My client went thither and saw the animals, the price of which, he was informed, was four hundred guineas. They certainly had the appearance of being a splendid pair, and after the visitor had sufficiently admired their points, a groom was called from the adjoining harness-room, and told to put them through their paces. He drove them up and down the yard, and so charmingly docile and quiet were they that my client forthwith agreed to become the purchaser at the price named.

The horses were driven home by the groom who had exercised them, and deposited safe and sound in the stables of their new owner.

The next morning, when they were put into the carriage, their demeanour was disappointing to a degree. They kicked, they jibbed, they exhibited every vice under the sun, and, in a word, they proved perfectly unmanageable.

The brutes were tried again and again, but nothing could be done with them; and at last the purchaser sent them to Tattersall's to be sold. Here, again, they

exhibited a multitude of vices, and they were knocked down for £30.

These horses, it appeared, had been sold about twenty times, and, if they are still alive, I have no doubt they are being advertised for sale at the present moment.

Three men had entered into a conspiracy. One was the individual who advertised the horses, and received intending purchasers in the stable-yard; another was the so-called groom who exercised them—and who had carefully trained them to obey him and to disobey every one else; and the third was a person whose duty it was to watch the premises of the purchaser, to follow the animals when they were driven thence to be sold, and to buy them back.

For reasons into which I need not enter, my client did not take the matter into Court.

I have been in a good many sporting cases in my time, that is to say, cases connected with horses, betting, and the turf; and, about twenty years ago, I appeared in a somewhat remarkable one, tried before Colonel Vyse and a bench of county magistrates at Windsor.

I was counsel for John Valentine, who was charged with keeping a place for the purpose of betting; and, as the offence could not be denied, I entered a plea of "Guilty," and contented myself with addressing the Bench on the question of mitigation of punishment.

I said I imagined the prosecution was one which the Bench would not, for one moment, encourage. The

recent decision of Baron Martin in a similar case showed me that, in point of law, there was no answer to the summons. No doubt the box erected by Mr. Valentine came within the meaning of the Act of Parliament. But it was a very stringent Act, and it became a question whether it would not even reach the ring beneath the grand stand at Tattersall's, and other places of that description. I was sure that it never was the intention of the Legislature to put down the proceedings of such gentlemen as Mr. Valentine, who had a very high reputation in the sporting world. The Act was no doubt passed to suppress the small betting houses which were springing up in the metropolis in all directions, and which were certainly likely to become centres of great evil. The gentleman whom I represented had always honourably met his engagements, and though he had broken the letter of the statute, I ventured to suggest that the justice of the case would be fully met by the infliction of a merely nominal fine. I appeared in ten other summonses taken out against Mr. Valentine for the same offence, committed at the same time and at the same place. All those summonses had been taken out by a gentleman rejoicing in the jovial name of Bacchus, himself a betting man, but of a very different type to Mr. Valentine. Mr. Bacchus was a man of a very jocose and genial disposition, and part of his little joke was invariably to disappear without settling when the races were over. I would remind the Bench that, in cases of this sort, half of the

fine inflicted went to the informer, and, having said that, it was unnecessary to add another word by way of demonstrating the pure motives that had acted upon the innocent mind of Bacchus. He was indeed a gentleman who, in my humble opinion, was not in any way to be enriched or encouraged. I might incidentally observe that similar summonses had been taken out against other gentlemen, and that they had been withdrawn, the gentlemen in question having been fools enough to pay black-mail to the justice-loving individual to whom I had been referring.

The magistrates retired to consider their decision, and upon their return into Court, the chairman said:

"We are unanimous in our opinion that this is a class of case to which the Act of Parliament was not intended to apply; nevertheless, we have the statute before us, and we must follow the letter of the law. At the same time we wish it to be made public that, in our opinion, if proceedings of this description are to be taken at all, they should be taken by the police and not by private individuals. We impose a fine of £1."

Upon this decision being pronounced, Mr. Valentine expressed a desire to give a donation of £10 to the Windsor Infirmary; and he forthwith handed a cheque for that amount to a governor of that institution who happened to be in Court.

The announcement of my client's philanthropic intention was received with loud cheers, which were mingled with "Groans for Bacchus."

CHAPTER VIII.

AN EXTRAORDINARY STORY OF FRAUD.

The case of Susan Fletcher — Evidence of the prosecutrix—The valuable legacy—An introduction to a magnetic doctor—Description of a trance—Conversing with the dead—Messages from the spirit world — A "trance-lecture" at Steinway Hall — How Mrs. Fletcher acquired the jewellery—"Sister Bertie," and "Brother Willie" — Spirit-rappings — The dead woman's temptation—What Mrs. Fletcher saw in the crystal ball—The deed of gift—Sage advice about the will—"Scrunches and 0000" —Dr. McGeary to the rescue—The prisoner's subtle tactics—Getting back the property.

Some years ago I, in conjunction with Mr. Snagg and Mr. Cavendish-Bentinck, appeared on behalf of the Crown in a very remarkable case of fraud, which was tried before Mr. Justice Hawkins. The defendant was a woman named Susan Fletcher, who was defended by Mr. Addison, Q.C., and Mr. Besley.

This case revealed a guilelessness and credulity on the part of the prosecutrix, which, if depicted in the pages of fiction, would be regarded as an extravagant exaggeration. The story is best told in the words of

the lady herself. The substance of her evidence was as follows :

"My name is Juliette Anne Theodora Hurtly Hart-Davis, and I live at 12, Upper Baker Street, Portman Square. I am a married woman; but I am not at present living with my husband. In 1863 I was married to a man named Richards; but in 1873 he brought a divorce suit against me, and the marriage was dissolved. My mother, whose name was Hurtly, died in September, 1876, leaving me a quantity of jewellery, some lace of considerable value, and a most extensive wardrobe, the value of the whole being about £10,000. Besides this property, a considerable sum of money was left to me.

"In 1878 I married a gentleman named Hart-Davis, who had been a sailor. We lived together at various places—at Hampton Court, at Sandgate, and subsequently at Farquhar Lodge, Upper Norwood. In May, 1879, I became acquainted with Mr. Fletcher—the husband of the prisoner. [He was included in the indictment, but had not been arrested.] Mr. Fletcher told me that he was a magnetic doctor, and a few days after we became acquainted, he took my hand to 'magnetise' me, as he called it. He told me not to be alarmed if he went into a trance while he was holding my hand. He shut his eyes, was seized with convulsive shivering movements, and then began to speak a message sent to me by my dead mother, which I wrote in a diary. The message con-

veyed congratulations upon our having found one another, and recommended the society of cheerful friends in the interest of my future health.

"After Mr. Fletcher had delivered this message he came out of the trance, with further convulsive shivering movements. He seemed as though he had been asleep. When he came out of the trance, which lasted about a quarter of an hour, he found me with the tears running down my cheeks, overjoyed at having, as I supposed, met my mother. I paid him for this visit and for four others.

"On the second occasion he came down to Norwood and saw me alone. The same thing happened again, and I received another message from my mother. The message stated her joy at having found a means of communicating with her child on earth. I wrote all the messages down in my diary. One was" (reading): "'Bless dear Mr. and Mrs. Fletcher for their mediumship as being the instruments whereby we are brought into communication. I love them as if they were actually members of the same family.' To this message I replied: 'Good-bye, dear mother. Oh! that sweet breath that swept over my lips!' I imagined at the time that I felt something icy cold go over my face, and I asked through the medium: 'Was that a kiss?' The answer came back: 'Yes, dear; I stooped over you and kissed you as you said good-bye.'

"It was at Upper Norwood that I was introduced to Mrs. Fletcher. Her husband came down there on the

same day. Mrs. Fletcher, upon our introduction, said she felt a strong attraction towards me, as if we should be like sisters. I went to the Crystal Palace with my two visitors, and they remained at Farquhar Lodge that night. They told me that they were going to give a religious spiritualistic service at the Steinway Hall on the following evening, and they gave me a ticket of admission. I went there. A 'trance-lecture' was delivered by Mr. Fletcher to between four and five hundred people. It was a mixed audience, containing some persons from the fashionable world, and some who belonged to the humbler classes. Mr. Fletcher went into a trance with his eyes open. He was controlled by some spirit-guide, and while in the trance he gave a religious discourse, which lasted about an hour. During that hour he professed to see spirits everywhere, and they gave him messages which he delivered to people in the hall. This seemed to give great satisfaction to those who received the messages. Fletcher said that some of the messages were of a private character, and that the spirits would prefer him to deliver them at his own house.

"Mrs. Fletcher also went into a trance and delivered messages. Her messages were conveyed mostly to gentlemen, and Mr. Fletcher's to ladies. When the service was over, Mr. Fletcher mingled with the audience, who made much of him. The messages were sent on little pieces of paper. Mr. Fletcher would say something like this: 'I see a spirit standing

over the fourth lady in the third row, and I see written over that spirit the name of Charlie.' He then gave a description by which the lady in question recognised her relative. He also said: 'Any one who recognises the message, let him answer it.'

"After the service Mr. Fletcher paid me a great deal more attention than before, and was always pressing me to go and see them. They very frequently came down to see me, and after a time conversations took place between us about my jewellery and other property, and about my affairs in general. Upon one occasion at Norwood, while Mrs. Fletcher was in a trance, I showed her all my jewellery and other valuables. During the same trance she said she had seen my mother, and that my mother desired me not to wear the jewels so often, as the magnetism in them was so strong that it would help to take me into the spirit world before my time. On another occasion, while the prisoner was in a trance, she gave me a message from my mother to the effect that I was to hand the jewels to Mrs. Fletcher, to wear for affection's sake, and that, for the future, I was to call her my sister, and her husband my brother. After that I used to call the prisoner 'Sister Bertie,' and Mr. Fletcher, 'Brother Willie.' They both called me 'Sister Juliette.'

"One day I paid a visit to Mrs. Fletcher at Gordon Street, and took with me, in obedience to a message previously conveyed from my mother, my amethysts and diamonds. Mrs. Fletcher and I sat

alone conversing about spiritualistic matters in the *séance* room, and presently I heard rappings going on around me; and a little table appeared to move all by itself right across the room. I was much amazed, and asked what the rapping meant. Mrs. Fletcher replied that the spirits wished to communicate a message. She said that they wanted to write, and that she must get some paper and a pencil. She said she felt my mother close by, and presently a message was written on the paper. It was as follows: 'Dear Juliette, do as you are instructed by me.' Mrs. Fletcher said: 'You know best what that means;' and, in obedience to that message, I gave her my amethysts and diamonds.

"I then went home and, thinking that I should be disobedient to my mother if I did not do so, I collected all my other jewels together in a bag, and returned to the Fletchers' house with them. I saw Mr. Fletcher alone, and he went into a trance. While it lasted he purported to give me a message from my mother, and while my mother was speaking to me through him, as I believed, I fell on my knees before him and put the jewels into his lap, thinking I was doing an act of obedience. My mother, through Mr. Fletcher, blessed me for having obeyed her instructions, saying that, if I had not done so, so strong was the magnetism in them, I should have been drawn into spirit life before my time. Fletcher said that the idea of having me in the spirit world was a great temptation to my

mother, but that the higher powers forbade it. I understood that my mother handled the jewels in Fletcher's lap, saying: 'Oh what happy memories these bring me!' My mother went on to tell me that I was to impress upon Sister Bertie that she was to wear the jewels as though they were her own, and to have no compunction about it.

"Fletcher soon came out of the trance, collected the jewels together, and, after admiring them very much, called to his wife. When Mrs. Fletcher appeared, she hesitated about taking them, but I told her that she was to have no compunction, and she finally gathered them up. The value of this jewellery was about £5,000. I was induced to hand it over to them solely by the alleged messages from my mother.

"I afterwards went back to Norwood, and I subsequently saw the prisoner wearing the jewellery. I also saw a photograph of her taken while she was wearing it. One day I showed Mrs. Fletcher the valuable wardrobe that I had inherited from my mother, and she said it was not good for me to touch the things too much, as they contained so much magnetism. Soon after this I packed all the wardrobe up in trunks and sent them to the Fletchers'. They made two or three vanloads.

"I went to live after this at Vernon Place, where I was introduced by the prisoner to Colonel Morton. Shortly after this introduction I was at the Fletchers' house alone with the prisoner. She took up a crystal

ball, about the size of a billiard-ball, and, putting it in the handkerchief she was carrying in her hand, began to gaze at it very intently. When she had done so for several minutes, I asked her if she saw anything in it. She replied: 'Yes, I see a man with brown hair. He appears to be sitting at a table writing, and you appear to be sitting beside him. He has a long beard, and I think it must be Colonel Morton.' She went on to say that I could place every confidence in Colonel Morton as regarded business matters, and she added that my mother had sent me a message, telling me to go to him about a deed of gift. The prisoner said that, since receiving the jewellery, she and her husband had felt anxious on the subject, fearing what the outside world might say, in the event of my going abroad without signing some paper that would give them protection, and quiet any insinuations as to how the property was obtained.

"On the day that this conversation took place, I went to Colonel Morton's study, and found him apparently waiting for me. I told him that I had come at the request of the Fletchers, with regard to a deed of protection which they required on account of their responsibility. I told him they felt nervous about holding the property in the event of any interference from my family or friends during my absence abroad. Colonel Morton said he thought such a paper was desirable, and he proceeded to draw up a rough draft,

which he told me to take home and copy on my own paper. He called the document a deed of gift. I did as suggested, and sent it to Mrs. Fletcher. He put a seal upon it, and went through some forms, muttering something to himself, though I could not hear what he said. I seemed to be seized with illness. I felt very faint, and had to lean back in my chair. He said he would mesmerise me, to make me strong enough to be able to attend to business. He got up and made passes all over me in the air. I got more and more faint, and I could only just recover sufficiently to sign my name. He read the document over to me. His voice sounded like a distant whisper. After signing the document I rested a little, and then went home, feeling very ill."

At this point in the prosecutrix's statement the document referred to was read in Court. It ran as follows:

"To whomsoever it may concern—Upon the death of my mother, Mrs. Hurtly, of Hampton Court House, Hampton Court, County of Middlesex, was left to me, Juliette Anne Theodora Hart-Davis, her daughter, a certain quantity of jewellery for my own use and control, and I, the said Juliette Anne Theodora Hart-Davis, now residing in London, in consideration of the love I bear to Susan Willis Fletcher, of Boston, United States of America, now residing in London, and for many kindnesses shown by her to me, and for other

good and sufficient considerations, hereby give and relinquish to the said Susan Willis Fletcher the said jewellery, which my mother gave me, for her own separate use and control, and I have made this writing (1) that she may be fully protected in the possession of the said jewels ; (2) to say that I have made the gift of my own free will, and further to say that she has consented to accept the jewels only upon my earnest request and solicitation, and upon assurance that it is my earnest wish and desire she should do so. The said jewels were very dear to my mother, and doubly precious to me, and I have made the above disposition of them in full conformity with my own wishes, setting forth my reasons for so doing, not only for her protection but for my own, and that, at any time, now or in the future, there may be no question as to the right of the said Susan Willis Fletcher to the within-named jewels, or property ; the said gift being made by me without any reservation, and with a desire that she may wear the jewels during her lifetime and make such further disposition of them as she may think proper. Furthermore, in view of my experience with trustees, and other parties, since the death of my mother, I have determined to dispose of the property in the manner above indicated, and during my lifetime, rather than it should be disposed of in a way repugnant to my own nature by those who might obtain possession of it at my decease, and rather than dispose of it by will, as I might have done but for this deed of conveyance, in witness

whereof I have hereunto set my hand and seal, this 25th day of August, 1879.

"(*Signed*) JULIETTE ANNE THEODORA HART-DAVIS.

"Witness: FRANCIS MORTON."

The prosecutrix then continued her evidence as follows:

"I subsequently had a further interview with Morton, when another document was drawn up. It might have been a week or ten days afterwards. Previously I had had a conversation with the prisoner alone. She gave me one of my mother's messages, which urged me to write a letter to Mrs. Fletcher, to make the understanding more binding still. In consequence of this conversation I went to see Morton, who was waiting for me. I told him that Mrs. Fletcher required a letter which would make the gift binding in the event of anything happening to me. There was no mesmerism on this occasion. He made out a draft, and I took it to Farquhar Lodge to copy it on my own crested paper. At Morton's earnest request I took the draft back to him, and posted the copy to Mrs. Fletcher.

"I subsequently made a will, and before doing so had conversations on the subject with the Fletchers. Morton was the first one to suggest that I should make the will. He said that I should take into consideration the delicacy of my health and the uncertainty of human life. He suggested that I should leave my money where it

would be most useful. I told him that my great desire would be to leave the bulk of it for the propagation of spiritualism in its higher phases. He said that, legally speaking, I could not do that. He said it must be done through individuals, as the outside world, having no sympathy with the cause, would say that I was mad. He said: 'What could be better than for you to leave it in charge of your adopted brother and sister?' On divers occasions I had conversations with Mrs. Fletcher as to the desirability of making a will. I communicated with my mother through her in reference to Morton's proposition. Mrs. Fletcher went into a trance, shut her eyes, put out her hand, and embraced me. She then entered into a conversation with me as her daughter, and as though it was my mother in the spirit world who was speaking. She told me to go to Colonel Morton, as he would know a good solicitor.

"I communicated with Morton, and asked him if he knew of a good solicitor who would help me to make the will valid, and to draw it out properly. He took me to a solicitor's, and a will was drawn up. The solicitor said it was necessary that a codicil should be added. I then signed my name."

The document, which was produced in Court, bequeathed the whole of her property, both real and personal, to Mr. and Mrs. Fletcher in equal moieties.

The witness proceeded as follows:

"I believed at that time that the message about the

will came from my mother, and it was only on that account that I signed it."

At this point a number of letters were produced by me as counsel for the prosecution, and they were handed to the witness and identified by her. These letters, which were couched in endearing terms, were addressed to her by the Fletchers. One letter terminated with the expression: "Scrunches and 0000." Another ended with: "One big scrunch, and heaps of love." A third letter concluded thus: "Willie calls out from his bed: 'Don't forget to send a scrunch from me.'" In reply to a question, the witness explained that a "scrunch" meant an affectionate embrace. Some of the letters were headed: "From a sphere of light in heaven," and others: "From a sphere of rest in the spirit world." In one of the letters, Mr. Fletcher wrote: "Do what you like, but don't fall in love with the French officers."

"I subsequently," continued the prosecutrix, "went with Mr. and Mrs. Fletcher to America. We all lived together. I did not pay for my board; it was not necessary, as I gave them all my income. The prisoner had informed me that my mother had requested that we three should form a trinity—Love, Wisdom, and Work. Fletcher was to represent Wisdom, the prisoner Work — that is to say, charitable work — and I was to represent the affections of the family to bind them all together.

"When we started for America I noticed that the

Fletchers had a prodigious quantity of luggage. I remarked upon this to Mr. Fletcher, and he replied that Bertie had an impression that she would never return to England. We went by one of the Anchor Line of steamers. The voyage took about twelve days. On the voyage the conduct of the prisoner and her husband underwent a great change. They no longer treated me with kindness and sisterly affection. We went to Boston and other places; but, finding myself treated by the prisoners so differently, I consulted a gentleman who was introduced to me as 'Dr. Mac.' His real name was McGeary, and he was a celebrated magnetic doctor.

"In consequence of a conversation I had with Dr. McGeary, I informed Mr. Fletcher that, having come to my common-sense, and changed my mind, I had arrived at the conclusion that I had been cheated and hoaxed, and that the pretended communications from my mother were got up to defraud me of my property. I informed him that I therefore desired to sever the connection, and to cease to be a sister; and I demanded my property and jewels back. Fletcher looked very vexed and excited, and said he could not possibly consent before he had consulted the spirits. I said I was quite sure my mother would never consent to such a course. He said: 'On the contrary, I am sure she would approve of it.' I insisted upon having my property back. He refused, and again said he must consult the spirits.

"I retired to my room, where I was shortly afterwards joined by the prisoner. At first she pretended that she did not know what had passed. She then said that Willie had confessed to her, the night before, that he felt no longer only as a brother towards me. She also said he had worn a lock of my hair close to his heart for a year. I said I was disgusted at Fletcher expressing his feelings in that way. The prisoner then suddenly changed her tone, and said: 'I understand you have been asking for the jewels. If you persist in demanding those jewels, there is speedy and sudden death before you.' I replied that I would have my jewels and property. I then started for Saratoga with some friends I had made *en route*. I gave Dr. Mac a power of attorney to act for me in my business. A few stations on the road to Saratoga he joined us, and in consequence of what he said, I got out of the train and proceeded to Montague, which is adjacent to Lake Pleasant. While I was at Montague, Dr. Mac recovered some of the jewels, and other property, from the Fletchers. As they refused to deliver up the remainder, they were both given into custody. In their room was found a quantity of my property, including underlinen marked with my initials, which the prisoner had been wearing.

"Mr. and Mrs. Fletcher were subsequently released, and Dr. Mac and I returned to England together. On arriving at this country, I consulted a solicitor for the purpose of getting back the rest of my property. I have

recovered a good deal of it, but I have not recovered an Indian teak box, containing lace valued at from £3,000 to £4,000, and certain articles of jewellery, including a watch and some ear-rings, the whole being of the value of about £6,000."

The prisoner was most elegantly dressed, and, though somewhat stout, might be described as a nice-looking woman. While the foregoing evidence was being given, she, from time to time, burst out laughing.

The prosecutrix herself was by no means a bad-looking woman, and it was obvious that she had been possessed of very great personal attractions. She was subjected to a long cross-examination by Mr. Addison, who sought to prove an intimacy between her and Mr. Fletcher, it being suggested that the jewels and other property had been given by her to him. The lady appeared still to have some belief in the spirit world, but, on the whole, she went through her cross-examination fairly well.

Dr. James McGeary was called as a witness, to corroborate part of the prosecutrix's statement, as was also the solicitor who drew the draft codicil.

After the speeches of counsel, Mr. Justice Hawkins summed up the case to the jury, who then retired. They were absent for many hours, but finally returned into Court with a verdict of "Guilty." Mrs. Fletcher was sentenced to twelve months' imprisonment with hard labour.

CHAPTER IX.

LIBEL CASES.

The Ledger libel case—What is an improper ball?—Remarkable lady witnesses—Evidence of Mr. Henry Irving—His cross-examination—The status of ballet-girls—Mr. Charles Warner, Mr. Horace Wigan, and Mr. Stephen Coleman—Testimony of Mr. Clement Scott—The libels on Mrs. Langtry and Mrs. Cornwallis-West—An infamous publication—Mr. E. W. Pugin's libels on Mr. Herbert, R.A.—Mr. Gladstone as a witness—A useless warning—Severe observations from the Bench.

I HAVE been engaged in my time in a number of libel cases, both civil and criminal; and one of the funniest that I remember was that brought by Mr. Hodson-Stanley—who described himself as an actor and theatrical manager—against Mr. Edward Ledger, proprietor of *The Era*.

The case was tried at the Old Bailey, before the Recorder. Mr. (now Sir) Charles Russell, Q.C., and myself appeared for the prosecution, and Serjeant Ballantine and Mr. Kisch for the defence.

The alleged libels, which appeared in *The Era*, were contained in a letter describing a ball, got up by the prosecutor, which had taken place at the

"Cannon Street Hotel," and in certain articles dealing with the same subject. The ball was characterised as "an orgie, discreditable to the promoters," which had been "attended by painted harlots," and which was "calculated to bring the dramatic profession into derision and contempt." "Cannon Ball," was the signature attaching to the letter.

The invitation to the ball issued by the prosecutor was as follows:

"Great Hall, Cannon Street Hotel.

"Mr. Hodson-Stanley, at the request of numerous friends in the theatrical profession, has arranged to give a grand dramatic full and fancy dress ball at the above hall on the 28th of October.

"Full quadrille band of the Orleans Club.

"Ladies' tickets half-a-guinea.

"Dancing to commence at eleven."

The prosecutor stated that, shortly before the date of the ball, he called upon Mr. Ledger, and said to him: "I am going to have a ball which I think will be a great success, and I want you to do me a turn." As he spoke, he handed a gentleman's ticket to Mr. Ledger, who, after looking at it, observed: "I can't come alone. Can you give me another ticket?" This request was at once granted. The prosecutor went on to say that he saw Mr. Ledger at the ball, in

company with Mr. Clement Scott, and that the former gentleman congratulated him upon the success of the entertainment.

Of course the whole question resolved itself into this—was the ball an improper one, or was it not? The prosecutor contended that it was most respectably conducted, and that the ladies present were members of the theatrical profession. In support of his case, Mr. Robert Edward Villiers, the manager of the London Pavilion, was called. He stated that he had been connected with the theatrical profession for forty years, that he had, during that period, attended many balls, and that his impression was that the one in question was as orderly and respectable as a public ball could be. He did not notice any painted ladies there, he said, though he certainly observed seven or eight of what he would politely call the *demi-monde*.

For the defence, a number of ladies who actually attended the ball were called; and a more extraordinary group of persons I never saw. A great many of them gave addresses in Pimlico and St. John's Wood, and some of them admitted that they had paid for their tickets at the door.

A waiter from Evans' supper-rooms gave evidence as to his knowledge of the habits and customs of these ladies, and he also deposed to the indiscriminate sale of tickets at his employer's bar.

Another witness for the defence was Mr. Henry

Irving, who explained that he was not himself present at the ball, but that he gave evidence as one who had known Mr. Ledger for fifteen or sixteen years. That gentleman's paper, *The Era*, was the recognised organ of the dramatic profession, and was what he should call a "representative paper." Mr. Ledger bore the character of a strictly honourable and upright man. That was the general opinion of him. "I don't know," added Mr. Irving, "any respectable person in the profession who was in any way connected with this ball."

The celebrated actor was cross-examined by Mr. Russell, who pressed him as to his knowledge of balls.

"If I were asked," said Mr. Irving, "whether a vast number of other balls were respectable, I don't know that I should say they were not. It would depend upon where they were. I know nothing of this ball. There are thousands of balls I know nothing about. I have read the alleged libel from beginning to end. All I know about this ball is what I read in *The Era*. All I know is that it was not at all connected with the theatrical profession. No one I know in the profession was connected with it. They wouldn't be. What I thought on reading the article was that it was not severe enough, because I think it was infamous to connect such a calling as ours with anything so disgraceful. A great many of the public who know no better, believe what they read. Therefore I think it a most mischievous thing towards us all, not perhaps as far as our friends, but as far as the outside public, are concerned. It would

not affect us among our friends, but strangers at country places away from London might be prejudiced, and might imagine the advertisement of a ball of this description to be a legitimate one. I should not call young ladies of the ballet members of the theatrical profession."

Mr. Charles Warner was then called, and he stated that he agreed with every word that had fallen from Mr. Irving. The next witness was Mr. Horace Wigan, and he said that he acquiesced in everything said by both gentlemen who had preceded him.

Mr. Stephen Coleman, who described himself as having been manager of the Aquarium and of the Aquarium Theatre, gave it as his opinion that the ball was not a dramatic ball, and that it was largely attended by loose women.

The last witness was Mr. Clement Scott. He stated that he was a dramatic critic, and that he had been a literary man for twenty years. The letter that had appeared in *The Era* signed "Cannon Ball," was written by him. He had attended the ball because he thought he could do some good to the dramatic profession if he wrote a candid description and criticism of it.

The jury returned a verdict of "Not Guilty," and added that the criticisms of the ball in the pages of *The Era* were severe, but innocent.

Two cases of libel that excited a good deal of interest at the time were tried before Mr. Justice Hawkins, some ten or eleven years ago. The defendant

was the same person in both instances, namely, a German named Adolphus Rosenberg, the proprietor of a most disgraceful publication called *Town Talk*, in which the libels appeared. In the one case the proceedings were instituted by Mr. and Mrs. Langtry, and in the other by Mr. and Mrs. Cornwallis-West.

A large array of counsel was engaged. Mr. Serjeant Parry, Mr. Watkin Williams, Q.C. (afterwards a Judge), Mr. Cohen, Q.C., Mr. A. M. Sullivan, Q.C., Mr. Poland, myself, and Mr. Fox represented the prosecution; while Mr. Willis, Q.C., and Mr. Grain appeared for the defendant.

In reference to the first case I need only say that the libel complained of was to the effect that Mr. Langtry had commenced proceedings for divorce against his wife, and that several noblemen would appear as co-respondents. This utterly unfounded and atrocious assertion was followed up week after week by pretended additional particulars, culminating in the statement that Mr. Langtry had been bribed by a diplomatic appointment to stop the proceedings.

Mr. Langtry was called as a witness to prove that the statements had no foundation. He said he had always lived on terms of affection with his wife, and that he had never dreamt of presenting a petition for divorce.

Without a moment's hesitation, the jury returned a verdict of "Guilty"; and the case having reference to Mr. and Mrs. Cornwallis-West was then proceeded with.

Mr. West was Lord-Lieutenant for Denbigh, and held a very high magisterial position in that county. He lived there with his wife and children, the whole family being greatly beloved and respected. The photographic art had recently developed, and persons high in rank, conspicuous in society, and eminent in their professions, were inundated with applications from those who desired to take their portraits. Ladies discovered that their photographs were being exhibited for sale all over the country; and among those who had to submit to this annoyance was Mrs. Cornwallis-West, who was a particularly beautiful woman, and one of the leaders of London fashion.

The libel in this infamous publication was to the effect that Mrs. West co-operated with those who took, and sold, her photographs; that there were in her house four photographic studios and fifteen dark-rooms; that she actually suffered physical fatigue, so many sittings did she give in the day; and (this being the most extraordinary and villainous statement of all) that she made thousands of pounds per annum by commissions on the sale of her photographs.

The whole article was proved to be a gross invention, intended merely to pander to the low minds of such persons as were induced to purchase this filthy rag in the streets.

Immediately upon the conclusion of the summing-up of the Judge (Mr. Justice Hawkins), the jury

returned a verdict of "Guilty," and the defendant was sentenced to eighteen months' imprisonment.

One of the most extraordinary clients I ever had was a personal friend. Though a most amiable gentleman at heart, and eminent in his profession, he was sometimes guilty of very irritating and remarkable behaviour. I allude to Mr. Edward Welby Pugin, who, following in his father's footsteps, had attained to considerable distinction as an architect.

I think it was in 1874 that he was first tried, before Mr. Commissioner Kerr. The charge was one of libelling Mr. Herbert, the well-known Royal Academician. Mr. Poland was for the prosecution, and I appeared for the defence.

Mr. Pugin and Mr. Herbert had been intimate friends. In 1868, the latter employed the former to build him a house at Kilburn, to be called The Chimes; but, before the work was completed, disagreements arose between the two. The result was that Mr. Herbert resolved to dispense with Mr. Pugin's further services. A question of money, however, remained in dispute between them. On the one hand, the Royal Academician maintained that he had fully discharged the liability he had incurred, and, on the other, the architect insisted that a balance was still owing to him.

Mr. Pugin brought an action to recover the money, and, while the case was pending, he wrote certain letters to Mrs. Herbert, containing the libels complained of. In those letters he described her husband as a

"cur" and a "dastardly rascal." They further charged Mr. Herbert with having brought underhand influence to bear to prevent the writer obtaining employment from the Government.

I remember it was at this trial that Mr. Gladstone was called as a witness for the prosecution. The libels had declared that the Government had been influenced to the writer's disadvantage in certain conversations Mr. Herbert had had with this eminent statesman, whose evidence, therefore, was essential.

Mr. Gladstone made the following statement in the box:

"I have known Mr. Herbert for twenty or thirty years. I remember meeting him at the house of my brother-in-law. During the time that we were together we had a good many conversations upon various subjects; but Mr. Herbert did not say anything to me that was calculated to damage Mr. Pugin, or to prevent him obtaining employment in connection with the Government."

The right honourable gentleman went on to say that the matter was a very painful one to him, because, besides being on intimate terms with Mr. Herbert, he had known Mr. Pugin for a long time. "I do remember," he added, "that Mr. Herbert complained of the mental suffering he had undergone owing to the course Mr. Pugin had adopted. He also expressed his regret at having been compelled to resort to legal proceedings against him."

At the conclusion of his examination-in-chief, Mr. Gladstone said:

"I have attended here at the request of both parties, and I should like to be released from my attendance as speedily as possible."

It was not necessary for me to cross-examine the witness at any length. I, however, asked him whether he did not know the defendant to be a man of excitable temperament, who was in the habit of expressing himself warmly.

"Entirely," Mr. Gladstone replied. "I think he is a man such as you describe; but," added the witness, smiling, "people say the same thing of me sometimes."

In the end the jury found that the letters written by the defendant, though scurrilous, did not amount to a libel. This, of course, was equivalent in law to a verdict of acquittal; and the defendant was discharged.

Apparently my friend did not receive a sufficient lesson from this legal experience, for, some two months later, he was again put upon his trial for libelling Mr. Herbert.

The preliminary hearing was before Mr. Flowers, at Bow Street, I appearing once more for the defendant. After a long investigation, he was committed to take his trial at the Central Criminal Court.

The case came on in due course, and it was considered of such importance that two Judges tried it—Mr. Baron Bramwell and the Recorder of London.

Mr. Metcalfe, Q.C., and Mr. Poland appeared to prosecute, while Mr. Digby Seymour and myself represented the defendant.

The libels on this occasion were very strong, and it was impossible for us to justify them. When Mr. Metcalfe had opened the case, therefore, Mr. Seymour, after consulting with me, announced that the accused would plead "Guilty." He went on to make a profuse apology on behalf of our client, and to state that that gentleman was willing to find sureties to any amount to ensure that his offence would not be repeated.

I do not think I have ever known Baron Bramwell more severe than he was on this occasion, both in language and demeanour. He said :

"It has for a considerable time been under consideration by the Court whether the case is not one that calls for punishment, and I may mention that the sentence talked about was six months' imprisonment, and a fine of £500. You have made some redress to the prosecutor by the public statement that you have made, but that is not enough, though it is something in the way of atonement to Mr. Herbert for the libels that you have published about him. The Court cannot help regarding the case as a very gross and serious one. It is not as though one single libel had been published hastily and in a fit of anger ; the libels have gone on for a period of a year and a half, and have continued down to the very time

of the present trial. They are of a most offensive character, and they are written by a man of education, whose expressions are likely to be looked upon as of much more importance than those of an illiterate person. I have had the greatest doubt whether it is not my duty, under these circumstances, to pass the sentence I have named, but, upon consideration, I think it will be for the interests of Mr. Herbert, for the interests of yourself, and, I trust, for the interests of the public, that the Court should refrain from going to this extent, and from passing a sentence of imprisonment. If, therefore, you will undertake to forego the costs to which you may lay a claim in respect of the former trial, and undertake to pay the costs of the present one, the Court considers the right thing will be to call upon you to give sureties to appear for the purpose of receiving judgment if you should be called upon to do so. If you abstain from persecuting the prosecutor, and publish no more letters of the same kind, you will hear no more of the matter; but I warn you, if you do repeat the offence, you will be liable to be called upon to receive sentence, and, let me tell you, that sentence will be a severe one. I exhort you, as a gentleman and a man of education, seriously to consider the impropriety of writing such letters. If you have any claim against Mr. Herbert, you must enforce it legally, in a Court of Justice, like a man. I hope you will take the advice I have given you."

The defendant then entered into his own recognisances in £500, and two sureties of £250 each, to keep the peace towards the prosecutor and all Her Majesty's liege subjects.

CHAPTER X.

A RETROSPECT.

Who has been the greatest advocate?—Mr. Edwin James, Q.C.—Examples of the solid style: Shee, Parry, and Holker—Sir John Karslake—Sir Henry Hawkins—The present Lord Chief Justice—Mr. Bovill and Mr. Lush—Lord Bramwell—Sir Montagu Smith—Serjeant Ballantine—Baron Huddleston—Mr. Edward James, Q.C.—The foundation of the Beefsteak Club—Meeting at Archie Wortley's studio—Our predecessors—Looking for a site—Finding a griller—Our new premises—Sir Alexander Cockburn in the chair.

I READ in the newspaper the other day that the present Lord Chief Justice had stated that, in his opinion, the finest advocate of his time was the late Sir William Erle, who, at the conclusion of his brilliant career at the Bar, was created Chief Justice of the Common Pleas.

It occurs to me that it is no easy matter for any one to say who was the greatest advocate of his time. Opinions naturally differ as to the respective merits of different styles of advocacy.

I can just remember Mr. Edwin James, Q.C., and

I am not sure that, as an all-round man, he was not the most successful with the jury. As leading examples of what I may call the solid style, I should name Serjeant Shee, Serjeant Parry, and Lord Justice Holker. When I say "solid," I do not refer to heaviness of manner, but to solidity of appearance, robustness of speech, and a general air of good English honesty. This style is very taking with the juries of this country. It was the heavy, nay, almost languid, way in which Lord Justice Holker opened his cases, taken in conjunction with his sudden awakenings, and bursts of eloquence, when important points were reached, that rendered his style of advocacy so telling.

Sir John Karslake, as well as being a most effective speaker, was of splendid appearance, and considerable joviality of manner—qualities which certainly place him among the first flight of advocates of the last forty years.

Few leading counsel have obtained more verdicts than Sir Henry Hawkins. There was always something mirth-inspiring in his manner and appearance, and few men knew better how to deal with a jury. Jocose and funny to a degree, he nevertheless knew exactly where and when it was dangerous to introduce a jest. In compensation cases, which are concerned with figures and dry calculations, I have never seen his equal.

The present Lord Chief Justice was ever a model of persuasive and polished speech. His periods were

always well-rounded, and, for what I may term suave and gentlemanly declamation, he was, in my opinion, second to none.

When first I joined the Home Circuit, I saw something of Mr. Bovill and Mr. Lush; and I have just a recollection of Lord Bramwell. In railway cases, and with mercantile special juries, the two first-named certainly stood in the front rank, as did also Sir Montagu Smith, a name well-remembered on the Western Circuit.

Of course not even the most cursory review of the foremost counsel of recent years would be complete without some reference to Serjeant Ballantine, who, in spite of his peculiar and somewhat halting delivery, was remarkably successful in sessional cases. I referred to his characteristics, however, so frequently in my first volumes, that it would be superfluous to say more on the subject here.

Few could vie with the late Baron Huddleston in dealing with a common jury. His was a persuasive and conversational style. He invariably managed to get as close as possible to the jury, and he had a way of conducting a case that was most effective.

The Northern Circuit gave us Mr. Edward James, Q.C., who, though somewhat irascible and impetuous, made some extraordinarily fine speeches in his time.

And who shall say, of all the celebrated names I have mentioned, which should head the list?

Somewhere about the year 1875, I had a hand in the formation of an institution where I have since spent

some of the happiest years of my life. I allude to the Beefsteak Club.

Some three or four of us had been in the habit of meeting together, from time to time, to dine from the grill, at the "Blue Post," in Cork Street, or some other place of a like description; and it was one day suggested—I think by the then rising young painter, Archie Wortley—that it would be much better if we founded a little club for the purpose of these pleasant gatherings.

The idea was received with favour, and it was finally decided by us that we would resuscitate the old Beefsteak Club, though on slightly altered lines. We were all business men, and had no time to spare during the day; and so it was agreed that, at half-past eleven on a certain evening in every week, we should meet at Archie's studio in Knightsbridge, to discuss the preliminary arrangements for the formation of our club, and to determine who should be invited to become original members. We decided to choose names from the artistic, theatrical, and fashionable worlds, and we desired that, if possible, the men we selected should have something distinctive about them. Dear me, I shall never forget those names. What fun we had over the selection, and how we did squabble! Very often, when there was a difference of opinion as to any particular gentleman, we proceeded to a ballot, each writing "Yes" or "No" upon a little slip of paper; the decision, of course, resting with the majority.

We determined that our club, unlike that of the Sublime Society of Beefsteaks, should be open every day, from five o'clock in the afternoon.

There had been more than one Beefsteak Club in existence before ours. The principal one was founded, in 1735, by Henry Rich, the celebrated harlequin of Covent Garden Theatre. The society consisted of twenty-four members, and, in the early days, the number included Churchill, Dennis Delane, Hogarth, Gabriel Hunt, Dean Price, Judge Welsh, and Theophilus Cibber. Later on, the member-roll contained the names of the Earl of Sandwich, George Colman, Wilkes, John Kemble, the Prince of Wales (afterwards George IV.), the Duke of York, and the poet Morris. The day for dining was Saturday, and each member was allowed to bring one visitor. For seventy years the home of this club was a room in Covent Garden Theatre. In 1808, a move was made to the Bedford Coffee House, and, in the following year, the members migrated to a room in the old Lyceum Theatre. This apartment still exists, and in it Mr. Henry Irving frequently entertains his friends.

We limited the number of our members to two hundred. After selecting the names, we turned our attention to the question of premises. Our design was simply to take one large room, and to build out from it a kitchen with a huge gridiron. We thought that the best position would be one somewhere between the Strand and the West End, and Archie and I were

deputed to look out for suitable premises within that area.

After a lot of trouble, we discovered a large room in a house in King William Street, Strand. The premises were owned by a man named Hodges, who carried on his business as a bookseller on the ground-floor.

This house had had a somewhat chequered career. Oddly enough, some years before, I, appearing as counsel for the parish of St. Martin's, had prosecuted the occupier for using the premises for disorderly purposes. Subsequently, the large room we now coveted, had been turned into a dancing academy.

We interviewed Hodges, and a very exacting man we found him. He insisted that, before any agreement was entered into, we should hand him a deposit of, I think, £150.

No committee had as yet been actually formed—though it was understood that that body would consist of all who had banded themselves together to establish the club—and therefore there were no funds in hand. I, however, consented to act as banker, and we duly satisfied the rapacious Hodges, after which no time was lost in having the premises put into a condition suitable for our reception.

There is no one in the world more artistic, or better able to plan the decorations of such a room as we desired, than my friend Archie. He threw his whole heart into the task, and performed it most successfully.

I think it was in the early part of 1876 that our little club was opened. The president was the Earl of Wharncliffe, and Archie was the honorary secretary. The committee was composed of ten, I being one of the number. If I remember aright, we started with 145 members. The number is now about 300, the limit we originally imposed having been removed.

Having secured premises, the next thing was to find the genius who was to preside over the grid-iron. Fortunately, Ted, the well-known griller at Pratt's, was on the look-out for a more remunerative situation. Archie went to interview him, and the result was that his valuable services were secured.

When Mr. Toole took over Mr. Hodges' premises, in order to erect his charming little theatre on the site, we were of course temporarily displaced. But a new room was constructed for us, under Archie's superintendence, within the precincts of Toole's Theatre (as it is now called), and I may say without fear of contradiction that it is the finest one in all London.

This club is my favourite resort. Nowhere else does one find such pleasant, cheery, and conversationally agreeable companions. Here it is that I meet, not only old comrades, but the friends I like best.

The late Lord Chief Justice, Sir Alexander Cockburn, was a member of the Beefsteak Club, to which he was elected by acclamation. For a few years before

his death, he presided over our annual dinners, and, in proposing success to the institution, made those eloquent, polished, and humorous speeches for which he had no equal.

CHAPTER XI.

MEDICAL EVIDENCE.

I defend Thomas Perryman, charged with matricide—Finding the body—The movements of the accused—Quarrelling in a public-house—Evidence of Dr. Shoppee and Mr. Downs—Letter from Dr. Clegg, of Boston—References to the case of Catherine Wilson—The bodies of her supposed victims exhumed—Endeavouring to find traces of the poison—Analyses of Dr. Alfred Taylor and Dr. Miller—The mistake made by Dr. Nunneley—Origin of the colchicum theory—The prisoner's "best" brandy—Judges' errors.

I THINK I only once defended a matricide. In this case, which was tried before Mr. Justice Byles, in 1879, Mr. Poland and Mr. Gill prosecuted on behalf of the Treasury, while I and Mr. Warner Sleigh appeared for the defence.

The prisoner was a man named Thomas Perryman, who was thirty-one years of age. He was charged with the wilful murder of Frances Perryman, his mother, aged seventy, with whom he had lived for four months at No. 39, Harmood Street, Kentish Town. They had occupied a single room at the back of the house. There was only one bed in the room, the prisoner having slept

on the floor. He was described as a stonemason out of work.

The alleged murder took place on the 5th of February. On the morning of that day Mrs. Perryman was seen by the landlady to leave her room, carrying a pail, with which she soon afterwards returned. At that time she appeared to be in her usual health, and there was nothing out of the ordinary in either her demeanour or appearance. This was the last time she was ever seen alive, as far as the evidence went.

The prisoner was heard to leave the premises at about two o'clock in the afternoon, and to return at about five. Subsequently a lodger named Stephens heard a scuffle going on in one of the rooms; and soon afterwards the prisoner once more left the house.

Later on, the landlord went to Mrs. Perryman's door, and knocked three times, calling her by name as he did so. There was, however, no response. Getting alarmed, he went to procure a light and fetch his wife. Entering the room together, they found Mrs. Perryman lying on the bed on her left side, apparently quite dead. Her knees were drawn up, and her head was towards the foot of the bed. The body was partially covered over with the bed-clothes, and an old black shawl was wrapped around the neck.

The landlord at once ran out for a doctor; but. not being able to find one, and feeling persuaded that a crime had been committed, he returned with a policeman.

Dr. Shoppee arrived soon afterwards, and examined the body, which had not been touched previously. Life was extinct.

The prisoner came home at about nine o'clock in the evening. The landlord confronted him, saying: "Are you aware what has occurred upstairs?" The prisoner replied: "Unfortunately I am." He then went on to state that he had gone to fetch some brandy, and had run all the way to Holloway. Muttering something about having friends, he then walked out of the house. At about midnight he returned, but was not admitted.

The landlord gave one very material piece of evidence. He said that, during the afternoon, shortly before he made the ghastly discovery, he saw the prisoner in the bar of a public-house, quarrelling with his brother, William Perryman. Something of a scuffle took place between them, and William said: "You told me that you've hung mother," or words to that effect. Upon this the prisoner pushed his brother down into a seat, and said: "You shut up."

On the prisoner was found some money which had belonged to the deceased, and which had been kept by her wrapped up in a pocket-handkerchief.

The medical evidence was, of course, of the utmost importance. Dr. Shoppee stated that he had made a *post-mortem* examination of the body, in conjunction with Mr. Sydney Downs, surgeon to the police at the Kentish Town station. He had found a broad mark round the neck, terminating in a deep dent on the

margin of the lower jaw-bone. The mark varied in width from a quarter to half an inch. It was broadest at the back, and most deeply indented in front. It was of a light mahogany colour, and the affected skin was parchment-like to the touch. It was certainly his opinion that the mark was made during life. He had no doubt whatever that death was caused by strangulation. A minute and a half's suspension from the rope found lying across the room, or the tightening of a handkerchief round the neck, would have been sufficient to have caused death. It was impossible, in his opinion, that the deceased could have strangled herself with a handkerchief.

In cross-examination, he said: "In my opinion, death from strangulation inflicted by herself was impossible;" and nothing could shake this opinion.

Mr. Downs said that the cause of death was undoubtedly strangulation. In his opinion, the injuries to the neck had been produced by a handkerchief tightened round it.

Further evidence was given as to the prisoner's treatment of his mother on previous occasions. It was stated that he had been in the habit of knocking her about, and that he had, in consequence, once been threatened with prosecution by an officer of the Society for the Protection of Women.

Before the magistrate, the prisoner said: "I am not guilty. What was done she done herself with her own hands."

Ultimately the prisoner was found guilty, and sentenced to death.

In this case, of course, the medical evidence was of the utmost importance, and the result was due to the fact that I was unable to call a scientific man who would countenance the theory that the deceased committed suicide.

It will, I think, be interesting to the readers of my first book if, while upon the subject of medical evidence, I reproduce a very interesting letter I have received in reference to the account I gave of the trials of Catherine Wilson for murder. The letter is as follows:

"Boston, Lincolnshire.

"Dear Sir,

"I am sure you will not object to my drawing your attention to a slight inaccuracy on page 81, volume I. of your 'Reminiscences.' In relating the career of Catherine Wilson, you say: 'After the first trial' [for attempting to poison Mrs. Carnell with vitriol] 'the bodies of the victims were exhumed, with the result that traces of the poison were discovered.'

"You will pardon me for reminding you that the remarkable point in all the charges alleged against Mrs. Wilson was that, though the bodies of many supposed victims in various parts of the country were exhumed, in no case whatever, under the most skilful analysis, was the slightest trace of poison detected.

"Permit me to introduce myself to you. I am a medical man, long retired from private practice, but still the medical officer of health for the Boston district. I have also been county coroner since February, 1862, and was honoured with the friendship and confidence of Dr. Taylor up to the time of his death; and there are frequent allusions to cases I reported to him in his books on 'Poisons' and on 'Medical Jurisprudence.'

"I was well acquainted with Mrs. Wilson. When I first knew her she was housekeeper to Peter Mawer, of Boston, a retired sea-captain. She induced Mawer to make his will in her favour, and the man soon afterwards died of choleraic diarrhœa. It was then found that Mrs. Wilson had got possession of his entire property. This was in 1854. Mrs. Wilson then left Boston, but reappeared in 1859, on a visit to Mrs. Jackson. After a day or two, Mrs. Jackson died suddenly. The death was registered as bilious diarrhœa. It was then found that Mrs. Wilson had used Jackson's cheque-book, and had succeeded in withdrawing £120 from the bank. Then suspicions which had prevailed since the death of Peter Mawer were revived. The body of Mrs. Jackson was exhumed and an inquest held. The viscera were sent to Dr. Alfred Taylor, who, however, failed to find any trace of poison.

"In June, 1862, on reading the evidence in the Carnell vitriol case, I ordered the exhumation of the body of Peter Mawer, after eight years' burial. There

would have been no difficulty in detecting mineral poison. Dr. Alfred Taylor, with Dr. Miller, conducted a six days' analysis, with the result that no trace of poison could be found. Afterwards, similar analyses were made with regard to the exhumed bodies of Mrs. Soames (after six years' burial), Mrs. Atkinson, of Kirkby Lonsdale (after two years' burial), and several others. In all the analyses the result was the same—not a trace of poison. Mrs. Atkinson died in London, but the corpse was exhumed in Kirkby Lonsdale, Westmoreland, and the viscera were sent to Dr. Nunneley, an eminent analyst at Leeds.

"After a few days, Dr. Nunneley announced that he had found traces of arsenic. This case was therefore selected for prosecution as being free from doubt or difficulty. The depositions were completed, and the prisoner was about to be committed for trial by Mr. Norton, at the Lambeth Police Court, when Dr. Nunneley stated that he wished to withdraw the whole of his chemical evidence. (He had discovered that he had repeated the mistake made by Dr. Taylor in the first instance in the Smethurst analysis. The trace of arsenic in Riensch's test came from his own copper foil.)

"Mrs. Atkinson's case at once collapsed, and Mrs. Wilson went for trial for poisoning Mrs. Soames, though Dr. Taylor admitted that here also the chemical evidence was entirely negative. There was, however, the damning evidence of certain circumstances, for

Mrs. Wilson had put the rope round her own neck by a statement that Mrs. Soames had poisoned herself and that she (Mrs. Wilson) was present when the poison was swallowed; that the cause of the suicide was an intrigue with a strange man who had got the dead woman's money; and that a letter would probably come from the man on the next day asking for more gold. It was true the money of the deceased had disappeared; and the letter did come asking for more. This letter was proved to be in the handwriting of Mrs. Wilson herself, written on the note-paper she used for her ordinary correspondence; and it was also proved that it had been posted in a letter-box close to her own residence.

"Justice Byles was satisfied without any medical evidence, and, in cases of poisoning, when this learned Judge made up his mind, he had neither mercy nor pity. The summing-up insisted on a conviction. *The Daily Telegraph*, *The Morning Star*, and several other journals, London and provincial, argued that the evidence was not conclusive, but these able articles in no way affected the determination of Justice Byles, or Sir George Grey, the Home Secretary. The woman was hanged.

"What poison Mrs. Wilson used can never be positively known, for the strictest inquiries failed to show that she had ever procured any poison from a druggist or elsewhere. The colchicum theory was my own suggestion, made in the course of a con-

versation in Dr. Taylor's laboratory, at Guy's Hospital, Dr. Taylor, Dr. Miller, Dr. Nunneley, and myself being present. We were discussing the uniformity of the symptoms preceding death in all the cases of illness, and Dr. Nunneley remarked that, of all vegetable poisons, elaterium was the most likely to cause the peculiarly exhaustive diarrhœa. I said: 'Where would the woman get elaterium? Why not colchicum? Peter Mawer was a martyr to gout, and used to take colchicum.'

"This suggestion was at once adopted all round, and was expressed as a decided opinion by Dr. Taylor on the trial. It was supported by the evidence of Dr. Whidborne, who stated that he had attended a man named Dixon (another victim), who died four months before Mrs. Soames, and that Dixon lodged with Mrs. Wilson, and used to take colchicum for gout. Dr. Whidborne remembered telling Mrs. Wilson on one occasion that the medicine was to be taken with caution, and Mrs. Wilson replied that she knew all about it.

"The last time I saw Dr. Taylor, shortly before his death, we conversed on this subject, and on the fact that Mrs. Wilson had never been known to purchase or possess colchicum. Dr. Taylor remarked: 'At every bedstead where this woman acted as friend or nurse, she recommended and administered brandy, or egg and brandy. She always produced a special bottle of her own brandy, because she said it was

the best. This brandy was, in my opinion, saturated with colchicum. In Lincolnshire, the plant (meadow saffron) is common in cottage gardens, and in London she could have easily got the bulbs. After every dose of her brandy, the pain and sickness and diarrhœa increased. Then more brandy was given, the patient dying exhausted in a few hours.'

"I then remembered that the evidence taken at the inquest with regard to the death of Captain Peter Mawer certainly seemed to corroborate Dr. Taylor's opinion. An hour or two before Mawer died he said to a friend: 'Fond as I have always been of tea, if I get better I shall never touch another drop. I am always so bad after it, and she gives me a spoonful of the best brandy in every cup.'

"After all, the colchicum theory can only be called a suspicion, and there are probably some judges and some Home Secretaries who would not have hanged Catherine Wilson.

"Justice Byles, in passing sentence on her for poisoning Mrs. Soames, charged her with the cruel murder of several other persons, commencing with Peter Mawer; and he concluded by saying: 'I am as certain that you also poisoned Mrs. Atkinson as if I had seen you do so with my own eyes.'

"There is a tradition that the Judge who sentenced Jonathan Bradford made the same remark, and certainly Baron Martin, in sentencing Pelizzioni, said: 'The evidence is the clearest and the most direct that,

after a long experience in the administration of criminal justice, I have ever known. I am as satisfied as I ever can be of anything that Gregorio did not inflict the fatal wound, and that you did.'

"So the most careful judges may be mistaken. Only the rising of the dead can discredit and disprove the ruling of Justice Byles.

"I hope you will pardon this long communication. I scarcely feel altogether a stranger, having so frequently heard you spoken of by my late friend, Dr. A. S. Taylor. I enclose Dr. Taylor's notes to satisfy you that I write with some authority.

"I am, dear sir,

"Yours faithfully,

"WALTER CLEGG."

CHAPTER XII.

STORIES OF THE BENCH AND BAR.

The prisoner and the mouse—Cruelty of the warder—A fit of anger—The impossibility of picking an empty pocket—Mr. Justice Hawkins' decision—The makers and passers of counterfeit coin—Why pewter pots are stolen—How base money is made—Inspector Brennan—Awkward evidence—"Musical honours"—A hypocritical saint—The witnesses to his character—Mr. Justice Maule's observations—A pleasant trip to Winchester—Sir Hardinge-Giffard's narrow escape—A young witness—"Hell fire"—Two obliging Jews—A substitute for soap and water.

I WAS in Court one morning, waiting for a case to come on, when I heard related a very touching story. A man was tried before Mr. Justice Hawkins for attempting to murder, or do grievous bodily harm to, a warder of the prison in which he had been confined, for some act of dishonesty, under a sentence of two years' imprisonment with hard labour. He was a youngish man, and, as was manifest from the facts that transpired, very tender-hearted.

Not long after the commencement of his imprisonment, a poor little mouse found its way into his cell.

It soon discovered a place of concealment there, and for some time it managed to live, unobserved, on such stray crumbs as fell from the prisoner's rations.

One day the man caught sight of the little creature, and, instead of endeavouring to kill it, or frighten it away, he threw it a morsel of the bread he was eating. The mouse timidly accepted this hospitality, and carried the food back to its hiding-place. Emboldened by the man's kindness, it soon reappeared, and again partook of the convict's dinner. The same thing happened several times, and gradually the lonely man attracted his little visitor nearer and nearer, until at last it fed from his hand.

Thus a good understanding was established between the two, and it was not long before the mouse took courage to climb up the man's hand, and run up the sleeve of his coat. Thenceforth it made this its home, cosily nestling against the convict's warm flannel shirt. It came to be an understood thing between them that the mouse should come down the man's sleeve to partake of every meal, as soon as the warder who brought it had taken his departure.

Day by day the mouse grew bolder, until at last, in an unlucky moment, it made its appearance before the warder had left the cell. He at once announced his intention of removing it, saying that pets were not allowed in the prison.

In vain the poor prisoner begged to retain his little companion. The officer was inflexible, and,

seizing the mouse, he ruthlessly killed it before the man's eyes.

Enraged at what had taken place, the convict took up a knife that happened to be within his reach, and made for the warder. The latter ran out into the corridor, and slammed the door behind him. The prisoner, rushing forward, brought the point of his knife into violent contact with the inside of the door, the only result being, of course, that one of the iron plates with which it was lined was slightly scratched.

The charge against the prisoner was based upon this act, it being alleged that his intention was to stab the warder, and that that intention would have been carried out but for the closing of the door.

A great deal of sympathy was felt in Court for the accused, whose violent conduct was considered, under the circumstances, to be excusable. Fortunately the law came to his rescue. It had recently been solemnly decided that a man could not be convicted of picking a pocket if the pocket were empty, inasmuch as it was impossible to steal that which had no existence. Similarly, it was impossible for the man inside the cell to stab the warder through the heavy closed door; and so he was acquitted. Nobody was aggrieved by this ingenious decision, and possibly it averted a very heavy punishment.

Who shall say, after this, that the law does not operate mercifully—I mean, of course, when properly interpreted? If I can draw a correct conclusion from

facial expression, no one was more delighted at the result of this case than the kind-hearted Judge who tried it.

At every session of the Central Criminal Court there are a number of persons tried for manufacturing, or passing, counterfeit coin. Few of my readers can have any conception of the quantity of spurious money that is in circulation. As a rule there are from thirty to forty cases of the kind in each of the twelve sessions held during the year. Of course, moreover, a considerable number of offenders escape detection.

It is a curious fact that the makers of money are the poorest persons in the world. Of all the prisoners tried in the Criminal Courts of this country, those to whom I am referring appear to be the most wretched and the worst favoured by fortune.

The artisans who coin the base money are not always the passers thereof. Many of them work for large dealers, who employ capital in the business. About eight per cent. is paid for the coinage, which is at about the rate of a penny for each shilling, or twopence for each half-crown.

Pewter is largely used in the manufacture of counterfeit coin, and this is the reason why so many pots are stolen from public-houses. The coins are stamped, by means of a press, with beautifully executed dies, and, after being rubbed with sandpaper and cork, they are put into aqua fortis in order that

such silver as may have been employed in the manufacture shall be brought to the surface. The coins are then rubbed, first with salt and afterwards with blacking, the latter giving them the appearance of having been some time in circulation.

The several operations are so quickly performed that two persons—man and wife, for instance—can, in a couple of days, manufacture shillings and half-crowns to the nominal value of £50.

One of the most remarkable police officers that I ever met was Inspector Brennan, who was told off specially to attend to cases having reference to base money. He was a very acute man, and one of the most deadly witnesses I have ever had to deal with. He always managed, in giving his evidence, to introduce a conversation that he had had, or, at any rate, that he professed to have had, with his prisoner.

Of course, by the humanity of the laws of England, a man's character cannot be put in issue before a verdict is returned; that is to say, the jury are kept in ignorance of his antecedents, which are only taken into account when the Judge comes to consider the sentence. Brennan, however, had a happy knack of repeating damnatory remarks as to the prisoner's past history that he had made when effecting his, or her, arrest. For instance, he once said:

"When I took the prisoner into custody, I remarked to him: 'Jim, I thought you'd given this smashing business up; and since you had that last

ten years I imagined you had turned over a new leaf. But there, once a smasher always a smasher, and you'll never give it up, Jim.'"

On another occasion, when the prisoner happened to be a female, he gave the following account of a conversation he had had with her:

"I said: 'Sarah, that warning I gave you was of no use. I did hear you had left the old man and gone into service again; but here you are, and I shouldn't wonder if this time you get lagged.'"

As a youngster, I defended a great many of these cases, and it was not long before I got used to Mr. Brennan and his ways. With a view to keep back these damaging little conversations it became my practice to decline to cross-examine him. But it was of no use; he was too much for me. Upon my stating that I did not wish to ask him any questions, he would put his hand upon his forehead, as if buried in thought, and then exclaim:

"Dear me, there was a bit of my evidence I quite forgot;" and then out would come the conversation.

This officer was quite right in a remark that I have quoted above. When once a man commences smashing, or passing, he never gives up the practice; and so, starting with a sentence of a few months' imprisonment he comes at last to spend the best—or, rather, worst—part of his existence in terms of penal servitude.

Some persons have strange notions of courts of justice, and a man whom I defended many years ago at Hull was certainly one of the number.

He had to take his trial for embezzlement, but had been admitted to bail. His case was to come before the late Mr. Beasley, the Recorder of the town. I was taken down "special," being instructed by Messrs. Rollit, of which firm the present Sir Albert Rollit, M.P., was at that time a member.

Messrs. Rollit's managing clerk called upon me at my hotel, for the purpose of consultation, on the morning the case was to be tried; and, before proceeding to business, he explained that his client was very desirous of being present. It was a rule of mine never to permit this, but, yielding to the solicitations of my companion, I finally consented to the course proposed.

On entering the room, the man who was about to take his trial said to me:

"I was very anxious, sir, to have your opinion of my case before you went into Court. Now tell me frankly, what do you think of it?"

As a matter of fact, the evidence against the fellow was about as dead as it well could be. I shook my head, and remarked:

"I never hazard an opinion as to the issue."

"But, sir," he replied, looking at me in some surprise, "don't you think I am sure to be acquitted? I've got a number of witnesses to character. I feel

positive that I shall be acquitted, and I trust it will be with musical honours."

Somehow or other the rascal managed to get off; but nothing was said or sung as to his being a jolly good fellow, or anything of the kind.

A comical story regarding witnesses to character is told of Mr. Justice Maule, who, if report be true—for he was before my time—said more good things from the Bench than many of his learned brethren. One day he was trying, for an offence of violence that I need not particularise, a hypocritical saint, who, as a matter of course, called a number of persons to speak to his character. As is usual on such occasions, their knowledge on the subject was very limited. On one point, however, they laid considerable stress. The prisoner was well known to them as a Bible reader and a Sunday-school teacher. He was, in fact, in their opinion, the very incarnation of piety and virtue.

The evidence against the accused was overwhelming, and Maule proceeded, in no uncertain language, to sum up for a conviction.

On the conclusion of the learned Judge's remarks, the prisoner's counsel jumped up and said:

"I crave your lordship's pardon, but you have not referred to the prisoner's good character, as proved by a number of witnesses."

"You are right, sir," said his lordship; and then, addressing the jury, he continued: "Gentlemen, I am requested to draw your attention to the prisoner's

character, which has been spoken to by gentlemen, I doubt not, of the greatest respectability and veracity. If you believe them, and also the witnesses for the prosecution, it appears to me that they have established what to many persons may seem incredible, namely, that even a man of piety and virtue, occupying the position of Bible reader and Sunday-school teacher, may be guilty of committing a heinous and grossly immoral crime."

Very pleasant were the trips I used to take into the country when specially retained in connection with some important case.

I shall never forget a visit paid in this way to Winchester, where several persons, who had occupied good positions in the employment of the South-Western Railway Company, were to take their trial on a charge of stealing certain stores belonging to their employers. The alleged receivers were also indicted, and it was one of these—a Londoner, carrying on business as a "general dealer" in the neighbourhood of the Borough—that I was retained to defend. Serjeant Ballantine, Ribton, and Straight also held briefs on behalf of the accused.

The railway company, being aware that special counsel had been called in, and that the case would be obstinately fought out, did not content themselves with their usual circuit counsel, Mr. Bullen, but specially retained Sir Hardinge-Giffard.

We all went down to Winchester together, and a very jolly party we were. On the journey Giffard

informed us that, as he had not yet had time to read his papers, he should have to work very hard upon his arrival. "Therefore," he added, "I do not propose to come to your hotel, as I imagine that it won't be possible to do much work where you all are."

This prudent proceeding on the part of Sir Hardinge (who, by-the-bye, at that time was plain Mr.) very nearly cost him his life. On the night of our arrival a fire broke out in the hotel where he put up, the calamity originating, oddly enough, in the chamber adjoining that in which he was soundly sleeping. The building was nearly burnt to the ground, and our learned friend was forced to seek new quarters in the only other first-class hotel in the place, where, of course, we, whom he had sought to avoid, were comfortably housed.

The case occupied some three or four days, and I am afraid our opponent had, all things considered, rather a bad time of it. To his horror, every one of the prisoners was acquitted.

The case came to an end on a Saturday, but I did not at once return to town. A battalion of the 60th Rifles was lying at Winchester, and among the officers Douglas and I had one or two intimate friends, who prevailed upon us to stay with them in barracks until the following Monday morning.

We went down to the railway station to see Giffard off on Saturday afternoon, and I shall never forget a little incident that occurred as the train was leaving the

platform. He thrust his good-natured face out of the window, and, shaking his head solemnly at both of us, exclaimed :

"I leave you more in sorrow than in anger. Good-bye."

I remember a rather good story that is told concerning an argument that took place as to whether or no a certain boy of very tender years was old enough to be sworn as a witness. On the little fellow being produced, the counsel for the prosecution suggested to the Judge that it would be desirable to ask him a few questions, in order to ascertain if he understood the nature of an oath. His lordship acquiesced in this suggestion, and at once addressed himself to the task of interrogating the lad.

"Now, my little man," said he, "do you know what will become of you if you tell an untruth ?"

"Hell fire," said the boy, without moving.

"Well, and what will become of you," continued his lordship, "if you play truant and do not go to school ?"

"Hell fire," said the boy.

"What if you don't like your brothers and sisters ?"

"Hell fire," again said the boy.

"What if you stay out late when your mother sends you on an errand ?"

"Hell fire."

"What if you spill the milk ?"

"Hell fire."

His lordship ran through a long list of faults, some

of them of a very slight description; but the penalty was always the same,—"Hell fire."

At the end of this examination, the learned counsel said:

"My lord, I hardly think this little boy sufficiently intelligent or instructed for his evidence to be admissible."

"Indeed!" exclaimed the Judge. "Well, now, I entirely differ from you. He seems a very good little boy, and if he grows up in his present belief, and thinks the direst punishment will be visited upon him for every fault he may commit, he will probably make a much better man than you or I."

The boy was sworn.

Some persons entertain very odd notions as to the sanctity of an oath, as was shown at a consultation I attended one day in reference to a case that was to be tried on the following morning at the Central Criminal Court. It happened that there were present on this occasion two Hebrew gentlemen, who, for some reason or other, were exceedingly anxious that the prisoner should be acquitted.

During the progress of the consultation, I had occasion to observe to the solicitor:

"In order to establish this point we must swear to . . ." so and so; meaning, it would be necessary to produce witnesses who could prove a certain set of facts.

Before the words were fairly out of my mouth, up

jumped the two Jews—who could have no personal knowledge of the circumstances referred to — and, clapping their hats upon their heads and raising their hands heavenward, cried :

"We swear!"

I remember a rather good story about a Jew who occupied a shop in the neighbourhood of Petticoat Lane.

This gentleman had been served with a summons to appear as a juryman at the Central Criminal Court, and, on the evening preceding the day on which his services were required, he told his daughter, who acted as his housekeeper, to be sure and call him at half-past eight on the following morning. As bad luck would have it, however, she overslept herself, and did not rouse him until half-past nine.

Being due in Court by ten o'clock, it is obvious that he had no time to spare. Recognising this, he dressed himself with alacrity, and, in order not to waste a single moment, came downstairs without having performed the usual morning ablutions.

"Father," exclaimed the girl, as her parent was hastily putting on his hat, "you can't go to Court in that way. Why, you've not even washed your hands."

"Never mind, my dear," the juryman replied; "run upstairs and bring me down two or three of my best rings."

CHAPTER XIII.

THEATRICAL CASES.

I appear for Mr. Sims Reeves—His engagement with Mr. Chatterton—The arrangements for producing *Rob Roy*—A cold and its consequences—Serjeant Ballantine's observations—Coe *v.* Sothern: action for wrongful dismissal — Should a stage manager receive commissions?— Evidence of Miss Roselle—Damages—Sothern and his family—Pleasant dinner parties—Charles Mathews and his cheap cigars—How he tried to make the Guardsman ill—My panic-stricken companion—His cool observation—A remarkable trial—The man who jumped out of window—Another remarkable trial.

I THINK I was engaged in nearly every theatrical case of importance, whether civil or criminal, that was tried during the last fifteen years of my career as an advocate. I was on two or three occasions counsel for Mr. Sims Reeves, both in London and in the country; and one of the most important of these cases was tried at Westminster Hall, before Lord Chief Justice Bovill and a special jury. It was an action for breach of engagement brought against the eminent English tenor by Mr. Chatterton, then the lessee of Drury Lane Theatre.

The counsel engaged were : Mr. Serjeant Ballantine, Mr. Ernest Bruce, and Mr. Straight, for the plaintiff; and Mr. Coleridge, Q.C., Mr. J. C. Mathew, and myself, for the defendant.

Mr. Chatterton had been in partnership with Mr. Falconer, but had lately taken upon himself the entire management of the theatre. Some year and a half before the trial, a conversation took place between Mr. Sims Reeves and Mr. Chatterton, and the former, on that occasion, gave some intimation that he would be willing to take an engagement at Drury Lane. Subsequently an agreement was entered into whereby Mr. Reeves undertook to sing at that theatre for twelve nights, his remuneration being fixed at forty guineas a night. It was arranged that he should take the part of Francis Osbaldistone in the melodramatic opera of *Rob Roy*.

Mr. Sims Reeves, it was stated, was anxious that, in appearing for the first time at Drury Lane, he should be supported by other eminent artists. He, in the first place, suggested that Mr. Phelps should play a part; and the management at once agreed to apply to that gentleman. The question then arose—who should play Diana Vernon? An effort was made to secure Miss Louisa Pyne for the part, but she was unable to take the engagement. Mr. Sims Reeves, on hearing of this, suggested the name of Miss Cross, an extremely accomplished young lady, who was well-known at Newcastle though not in London; and Miss Cross was accordingly

engaged, for no other reason than because Mr. Reeves desired that she should be.

Mr. Chatterton arranged to bring out the piece regardless of expense, desiring that nothing should be wanting to make it a complete success.

According to the agreement, *Rob Roy* was to appear on Saturday, the 16th of March, and, so far as the management was concerned, everything was in readiness for that date. A day or two before the 16th, however, a telegram arrived at Drury Lane from Mr. Sims Reeves, stating that he had contracted a cold. Next day a letter was received from Mrs. Reeves—who was in the habit of conducting her husband's correspondence—announcing that the state of his health was such as would render it impossible for him to appear on the following Saturday.

Serjeant Ballantine, in his opening, caused some amusement by saying: "It is hard to understand how a gentleman suffering from hoarseness would be able to announce his inability to sing several days in advance. In our own profession we are often afflicted in the same way, but we do not, in consequence, refuse briefs on a Monday in the belief that we shall not be able to perform on the following Saturday."

The suggestion of the plaintiff was that, for some reason or other, Mr. Sims Reeves had determined to break his engagement.

Mr. Chatterton, in his evidence, stated that he postponed the piece in the hope of Mr. Reeves

recovering his health, but that he finally produced it with Mr. Harrison in the rôle of Francis Osbaldistone. He decided that Mr. Sims Reeves should appear in that character on a subsequent occasion. The eminent tenor, however, said he should decline to appear in the part if any other gentleman appeared in it beforehand; and it was in consequence of this announcement that the action had been brought.

A good deal of correspondence was read, and Lord Chief Justice Bovill, after hearing it, suggested that an understanding might be arrived at, as there did not seem to be any imputation that the defendant was not seriously ill.

Mr. Serjeant Ballantine laughingly suggested that it would be as well perhaps if Mr. Sims Reeves followed the example of barristers, who often accepted briefs after they had been returned by their friends.

It was finally determined that all matters in dispute should be referred to a mutual friend; and, subject to that reference, a verdict was then taken, *pro forma*, for the plaintiff.

Another remarkable theatrical case was that of Coe *v.* Sothern, which was tried in 1876, before Mr. Baron Cleasby and a special jury, in the Court of Exchequer.

Serjeant Parry, Mr. Thesiger, Q.C., and Mr. Nasmyth appeared for the plaintiff; while Mr. Serjeant Ballantine, Mr. A. L. Smith, and myself represented the defendant.

The action was brought for alleged wrongful dismissal, the defence being that, inasmuch as the plaintiff had misconducted himself by taking commissions, his dismissal was justified. The co-defendant with Mr. Sothern was Mr. Buckstone, who had been for many years lessee of the Haymarket Theatre.

In July, 1875, the plaintiff entered into his engagement, the terms of which were specified in the following letter:

"Dear Sir,

"You are engaged for three seasons, at a salary of £10 a week, as stage manager.

"Yours truly,

"E. A. Sothern,

"John B. Buckstone."

It appeared that the plaintiff had acted as stage manager until January 3rd, 1876, when he was summarily dismissed without any explanation being offered him. The allegation of the defence was that Mr. Coe, in his capacity of stage manager, had shared the commissions charged by Mr. English, who had formerly been private secretary to Mr. Sothern, and who had since set up as a dramatic agent in Garrick Street, Covent Garden.

It transpired that the plaintiff, besides being stage manager, was a teacher of the dramatic art to amateurs desiring to go on the stage; and the allegation was

that he adopted improper means to obtain his pupils appointments at the theatre where he was engaged. According to the counsel for the defence, this is how the thing was managed. Mr. Coe, the teacher, introduced the young people to Mr. English, and Mr. English took them to Mr. Coe, the manager, with the result that they were engaged. Mr. English—so it was alleged—received a commission from the pupils, and shared it with Mr. Coe.

It was asserted on behalf of the defendant that this arrangement had the effect of preventing other, and better qualified, persons from obtaining engagements at the theatre. It was not denied that gentlemen acting as theatrical agents had an undoubted right to charge commissions; but exception was taken to the practice of dividing the fees so received with the stage manager — a system that was characterised as dishonourable and injurious.

One great difficulty the defence had to contend with was that persons who had paid commissions were reluctant to come forward and publicly admit the fact.

For the plaintiff, Mr. Coe himself was called as a witness, as also were Miss Ada Ward and Miss Roselle. In cross-examination, Mr. Serjeant Ballantine asked the latter lady whether she thought it a proper thing for a stage manager to receive commissions; but Mr. Serjeant Parry objected to the question, observing that his brother could not treat the witness as an expert. "No doubt," Parry added, "she is a

most charming actress, but I must decline to admit her charms as a witness."

For the defendant the witnesses were Mr. May (clerk to Messrs. English and Blackmore), who produced the books showing the payments made to Mr. Coe; Miss Emily Thorne, Mr. Buckstone, Mr. Benjamin Webster, Mr. John Hollingshead, Mr. Bancroft, Mr. Hare, Mr. Tom Taylor, and Mr. Howe.

Mr. Buckstone caused much amusement in giving his evidence, for he was very deaf, and all the questions put to him had to be repeated in his ear, in a loud key, by Mr. Howe. The witness said:

"I have been connected with the theatrical profession for fifty years, and I have been manager of the Haymarket for twenty-three years. I was ignorant that Mr. Coe made an arrangement to take half commissions from any lady or gentleman employed in the theatre. In my opinion it would be detrimental to the interests of the profession if stage managers were allowed to take such commissions. It would affect the general management and the character of the theatre."

Other witnesses deposed that it was not customary for stage managers to receive commissions; but, after the summing-up of the Judge, on the third day of the trial, the jury returned a verdict for the plaintiff, with damages to the amount of £1,035.

Poor Ned Sothern was a particular friend of mine, and one of the cheeriest and most generous-hearted men it was ever my pleasure to meet. But he was terribly

reckless, as was afterwards shown. When he was in the full flood of his success in the representation of Lord Dundreary I remember strolling up to Hyde Park one day, after my work at the Temple, to watch the people riding in the Row. As I stood there, leaning over the rail, Sothern went by on a magnificent chestnut, his stylish-looking wife galloping by his side on another horse of the same colour, and a groom following in the rear. I could not help remarking to myself: "What a jolly life these actors do have, and what a tremendous amount of money they must make!"

But when poor Sothern died, his family were left badly provided for. Mrs. Sothern has passed away, and so has her bright and cheery son, Lytton; and I believe the only member of the family left is Miss Eva Sothern, who I rather fancy has married, and settled in America.

No brighter dinner parties have I ever been present at than those which took place, on Sunday evenings, at Sothern's house in Wright's Lane, Kensington. On one occasion, I remember, there were present Charles Mathews and his wife, Planché, Palgrave Simpson, and a host of other pleasant people. After dinner, when the ladies had retired, our host produced a box of cigars, which he described as the very best in all London. (As a matter of fact, he always had the best of everything.) Sothern handed the box to Charles Mathews, who, however, shook his head, and, taking his own case from his pocket, observed:

"My dear fellow, I hate the best cigars. I always smoke the worst; and I pride myself upon it. Look at this, now—black as your hat, and a good large one. If you are not used to it, it'll take the roof off your mouth. In smoking, I go in for quantity, not quality. My cigars cost me a penny farthing each. I dare say, now, yours cost half-a-crown. I find them answer in more ways than one. I am never bothered for a cigar, for I've never known the man who, after tasting one, wanted another. However, I confess that on one occasion the biter was bit;" and then, in that charming way of his as a *raconteur*—in which character he was, in my opinion, second to none among all my acquaintances—he rattled off the following story:

"I was dining out somewhere or other—I can't quite remember where — and sat next to a young Guardsman, a sprig of the aristocracy, and not overburdened with brains. In the course of conversation he observed: 'Mr. Mathews, I've always had the greatest possible desire to go behind the scenes. I should so like to come one night into your dressing-room.' Well, believing that a general invitation never comes off, I said I should be most happy to see him whenever he liked to come. We were just starting for the provinces, on a short tour, and I did not propose to play in London for the next six weeks; consequently, I thought there was not the slightest possibility of my companion turning up at the theatre.

"But I was mistaken. On the first night after my return to town—when, if I remember rightly, I was in the bill for three pieces—I was informed, to my horror, as I was going upstairs to my dressing-room, that my young friend was waiting there for me; and such I found to be the case. Shaking hands, I said I was delighted to see him, which was anything but true. If there is one thing I dislike more than another, it is to have any one in my dressing-room while I am making up.

"It so happened that I was finishing one of these identical cigars, and my companion, after watching me very eagerly while I was divesting myself of my clothing, remarked that he would like to join in with a cigarette. Good! Here was a way out of my difficulty. 'Cigarette!' I exclaimed, 'not at all—most poisonous things—not only get all the juice but the paper into the bargain. Have one of my cigars.' Saying this, I produced my case and selected the blackest. He lighted up, and I chuckled. 'About five minutes will settle him,' thought I; and as, with a camel-hair brush, I traced the lines upon my face, I kept turning round to watch the effect. But there was no effect. He puffed away, and there he stuck. At last, however, he suddenly put the cigar down in a prominent place on the dressing-table and left the room.

"The call-boy summoned me to appear on the stage, and down I went. How lightly I descended

those stairs! I had got rid of my incubus, and was a free man for the rest of the night. With a palpitating heart, on reaching the stage, I swept my eye round the stalls, and eagerly scanned the faces in the private boxes; but he was nowhere to be seen—the tobacco had done its deadly work.

"At the end of the first piece, which was a one-act one, I returned to my dressing-room. Imagine my horror when, a few minutes afterwards, my young friend returned. 'My dear Mr. Mathews,' said he, taking up the cigar which he had deposited a short time before, 'can you oblige me with a light? This is really the very best cigar I ever tasted in all my life; and, if you will allow me, I will stay here and finish it.' As I have already said, my cigars are large ones, and as this young gentleman was the slowest smoker I ever saw, I did not get rid of him for the rest of the evening."

This anecdote puts me in mind of an experience of my own with a young gentleman of the class referred to.

One evening, at about seven o'clock, I dropped into the Beefsteak Club, in order to have an early dinner before proceeding to the theatre. I found the club tenanted by a single individual, who had given his orders and was waiting to dine. This was Lord ——, a young nobleman who had just lost his father and succeeded to his title. In the course of conversation over dinner, I mentioned that, as I had nothing to

do, I thought of going to see *The Flying Scud*, which was then being acted at the theatre in Holborn. Knowing of the recent loss that my *vis-à-vis* had sustained, I did not venture to suggest his accompanying me. To my surprise, however, he said: "I'll go too."

We chartered a hansom, and away we went. It so happened that, at the end, I think, of the second act, one of the scenes caught fire. Instantly my companion jumped up from his seat (we were in the front row of the stalls), and bolted like a rabbit from the building. He did not return, and I saw nothing more of him until, at an advanced hour of the evening, I re-entered the club. There I found him, quietly smoking a cigar.

"What on earth," said I, "made you bolt off in that sort of way? You seemed frightened out of your wits." (Not a difficult matter, perhaps.) "Don't you know that, on such an occasion, if everybody got up and rushed out, a panic would ensue, with very likely fatal consequences? Why on earth couldn't you sit still as I did? There was nothing serious the matter."

Upon this, with a most patronising air, the young gentleman replied:

"Oh, yes, that's very well for you, but you've not just succeeded to a peerage, and twenty thousand a year."

One of the strangest actions that I remember was

tried on circuit. A man prosecuted the medical officer of a lunatic asylum for not having prevented him from throwing himself out of window.

It appeared that, in consequence of being disappointed in love, the plaintiff had become very ill, his disease taking the form of suicidal mania. He was accordingly confined in an asylum, the officials of the institution being informed as to the state of his mind, and told to keep a very strict watch upon his movements.

Soon after his admission, the afflicted man heaped a lot of furniture against the door of his room as a preliminary to throwing himself out of window. Fortunately the superintendent arrived upon the scene in time to frustrate his purpose; and, in order that the attempt should not be repeated, the man was at once removed to the ground floor.

One morning the door of his new apartment was left unlocked, and, in a trice, he ran out into the corridor, rushed upstairs, and entered the room he had formerly occupied. Having once more placed the furniture against the door, he scrambled up to the window and flung himself out. He alighted upon the lawn, injured severely, though not fatally; and the doctors declared he would be a cripple for the rest of his life.

Strange to say, the terrible shock to his system, and the acute sufferings he underwent, cured his mental disorder; and he became perfectly sane.

One of the first uses he made of his restored reason

was to bring an action for negligence against the medical officer of the asylum. He contended that due caution had not been exercised, inasmuch as an official had not been stationed on the second story to prevent the inmates doing as he had done.

The plaintiff himself was called as a witness, and stated that, when in the asylum, he had resolved to commit self-destruction, as he was under the impression that, if his life were sacrificed, he would go straight to heaven.

Had the jury been allowed to return a verdict, there is no knowing what the result of this extraordinary trial would have been. The Judge, however, pointed out that it would be immaterial whether or no the remissness of the attendants was proved, inasmuch as the relations between the parties were not those of master and servant. His lordship also drew attention to the fact that the provisions of the Act of Parliament respecting the period within which notice of action must be given, had not been respected. Thus the plaintiff was non-suited.

One day, when I was relating this story, I was informed that a still more extraordinary case was tried about fifty years ago. A vagrant, it appeared, brought an action against the Middlesex magistrates, sitting in Quarter Sessions, for having neglected to cause him to be whipped in pursuance of an Act of Parliament made and provided to punish the offence of which he had been convicted. In that case the plaintiff recovered a verdict, with one farthing damages.

CHAPTER XIV.

STRIKE PROSECUTIONS.

The tailors' strike prosecution—Was the picketing illegal?—How an employer was "shadowed"—Serjeant Parry's indiscretion—The summing-up—Had there been intimidation and coercion?—Lord Bramwell's remarks on passing sentence—An appeal to the prisoners' judgments—The prosecution of the gas-stokers—London threatened with darkness—The men's contracts—Mr. Justice Brett's observations—Were the prisoners misled, or did they mislead?—An exemplary sentence—My own experiences of cases of intimidation—The necessity for strikes and the legality of picketing—Where tyranny commences—Imprisonment better than fines.

THERE have been several important charges of intimidation arising out of strikes tried at the Central Criminal Court, I having been engaged as counsel in nearly all of them. The principal ones were the prosecution in connection with the tailors' strike, heard before Baron Bramwell, I think in the year 1867, and the prosecution of certain persons concerned in the gas-stokers' strike, which took place in 1872.

The former was entitled The Queen *v.* Druitt and others. Among the defendants were the president and

secretary of the Operative Tailors' Protection Association, and the president of the Amalgamated Journeymen Tailors' Society. The prosecution was conducted by Serjeant Ballantine, Mr. Sleigh, and myself, those engaged as counsel for the defence being Mr. Coleridge, Q.C., Mr. Serjeant Parry, Mr. Hardinge-Giffard, Q.C., Mr. Besley, and Mr. Ribton.

Of course, in this case, as in others, it was not denied that the men had full liberty to combine to secure an increase of wages, and that a union had a right to enforce among its members due obedience to its laws. But the question arose — had a trade society the additional right of coercing others, and insisting upon their working, or refusing to work, just as the men on strike chose to dictate to them?

The dock of the Old Bailey wore a very unwonted appearance during the progress of this trial. Its occupants, unlike the usual run of prisoners, were respectable-looking, well-dressed men.

Of course, as is always the case in trials of this description, a quantity of irrelevant matter was introduced. The issues, however, were exceedingly simple. Had the defendants criminally conspired for illegal ends, and how far was the picketing which had been carried on, legal? As Mr. Baron Bramwell justly observed in the course of the inquiry, there is nothing that the law of England more jealously guards than personal freedom.

It transpired that a book had been kept by a

member of each picket. One of these books furnished particulars of the movements of an employer of labour named Bowater; and considerable amusement was caused in Court when the several items under this head were read out. We were informed at what precise moment this gentleman passed up or down the road; whether he was proceeding on his journey in a cab or on foot; whether he carried a parcel, and if so, what sort of parcel; what was his demeanour,—and so on. These particulars had an obvious effect upon the jury, who naturally thought that such persistent "shadowing" was intolerable.

I could not help thinking that Serjeant Parry did not display his usual clear-headed judgment on this occasion. He declared that the conviction of his clients by a jury of employers was a foregone conclusion, and he further remarked that the recent proceedings at Sheffield had kindled such antipathy to trade unions that an unprejudiced verdict was scarcely to be expected.

In summing up, the Judge cautioned the jury not to be influenced by the fact of the men being on strike. They had, of course, he said, a perfect right to leave their work. It was idle to talk about the struggle between capital and labour, and it was equally idle to censure masters for locking-out. They were quite as justified in doing that in self-defence as the workmen were in striking in self-defence. How a man should utilise his industry, his mind, and his talents,

was as much the subject of the law's protection as the right of liberty of his body. The way in which a man should dispose of his labour was a matter in which the public had an interest; and, therefore, if two or more persons sought by coercion, by compulsion, by intimidation, or by molestation, to deter or influence him in respect of the way in which he should employ his industry, or talents, they were guilty of a criminal offence. That was the common law of the land. The defendants ought very much to regret that the persons placed in the position of pickets had done that which was undoubtedly unlawful. They must have known what was going on, and they ought to have taken steps to put a stop to it. If picketing could be carried out in a way that would excite no reasonable alarm, and without molestation, annoyance, coercion, or compulsion, it would not be an offence in the eyes of the law. It was, however, for the jury to say what was the object of picketing. If it were for the purpose of coercion and intimidation, it would not be permitted by the law of the land; and, of course, those who placed the pickets at their posts were liable for the actions of those pickets.

His lordship proceeded to point out that the trade organisation had passed a resolution authorising the system of picketing, and he added that, if the jury were satisfied that that system had not been carried beyond this official authorisation, they ought to find the defendants guilty. If, again, the jury were of

opinion that the picketing system, properly carried out, did not involve molestation, but that, in the present instance, it had, with the knowledge of the defendants, been carried beyond the legitimate point, then also a verdict of guilty must be returned. On the other hand, if the jury were of opinion that the system did not necessarily involve molestation, and if they were further of opinion that the molestation which had actually taken place had been without the knowledge of the defendants, then a verdict of acquittal would be the only just one.

The jury, after retiring, found that the three principal prisoners, Druitt, Lawrence, and Adamson—all of whom were officials of the organisations—were guilty. The other defendants—the actual pickets—were acquitted.

As there has been so much discussion lately as to how far men on strike are justified in influencing the actions of their fellow-workmen, I think I shall consult the wishes of my readers if I place before them the actual words uttered by Lord Bramwell—a very high authority—in passing sentence upon the convicted tailors. He said:

"You have been found guilty; and it is now my duty to pass sentence upon you, or to say what shall be done in consequence of the verdict found against you. Now, I ask you in all kindness to listen to me—to listen to an impartial man—one who neither is, nor can be, either an employer of labour or a receiver of

wages, and who is unaware of anything to bias his judgment; because the only personal interest I can have between you and your masters is that my clothes will cost me a few shillings more or less, which I do not consider will warp my judgment. I am satisfied you have broken the law.

"I said—and I abide by it—if you could perform a system of picketing which neither annoyed, alarmed, nor intimidated, there would be nothing unlawful in it; but I am satisfied you cannot carry out a system of picketing which would be of any use to you, without breaking the law. To use the expression of one of your own learned counsel, spoken this morning, I am satisfied, as he said you are, that it is impossible to have an effectual system of picketing without being guilty of that alarm, and intimidation, and obstruction which is a breach of the law. I put it to your own good judgments whether it is not so, when you remember that men who formerly came for their own work have been deterred from doing so, and that their wives and children have been obliged to come for it. Believe me, when the jury found their verdict against you they found a true verdict.

"Now the law is against you, and I am satisfied—and I think that, if you will but reflect upon it, you will be satisfied—that reason and justice are against you also. What right can you have to put a coercion on any man as to how he shall employ his talents and his industry? The men at Sheffield, whom I see an

American paper calls 'those wretches,' seemed to suppose they had some right, in which the law ought to assist them, to put a compulsion on others of their own trade to join their union ; and I am afraid there may be some such notion lurking in some of your minds, for I find that, in the course of the trial, you used these phrases, 'dishonourable workmen' and 'dishonourable masters'—meaning those who will not agree with you.

"Now I put it to your own judgments to reflect what right you have to call on any man to throw his labour into a common stock with your own because he happens to be in the same trade. You have no more right to call upon him to do that than you have to call upon him to throw what property he has into a common stock. Depend upon it, it is wrong. If any reason can be given for it, it must come from those who assert it, not from those who deny it. But you must be wrong in thinking it a desirable state of things. If all the journeymen tailors ought to combine together, so ought all the shoemakers, and hatters, and agricultural labourers, and, in fact, every class and description ; and so ought, by a parity of reasoning, all masters and all other persons who have got some common bond of union among them. And what would be the consequence of that? Would it be for the benefit of society at large? You cannot think so. The only way it would be for the benefit of society at large would be if the object of the common desire of what is called wealth were thereby increased by such an arrangement as that. But would

wealth be increased? Certainly not; because everybody knows that the total aggregate happiness of mankind is increased by every man being left to the unbiassed, unfettered determination of his own will and judgment as to how he will employ his industry, and other means of getting on in the world. You must know it.

"I cannot help saying it is a most remarkable thing (pray attend to this; for it is said in all kindness) that, for more than forty years, the best men of this country, the men whom you admire most, have been engaged in removing restraints from trade, commerce, industry, and labour. There is now no monopoly in this land. There is no class legislation. There is no law which gives one set of men an advantage for their own particular benefit. That you know as well as I do. But strange to say, you men are trying to legislate among yourselves in a contrary direction; for, instead of furthering that freedom of action, and freedom of labour, and freedom of capital, which the law has endeavoured to assure, you are endeavouring to put restraints upon them, and to create a set of corporate guilds which were very useful in times gone by, I dare say, but which are mischievous in these enlightened times.

"I beseech you to think of what I am saying to you. Is it not a strange thing that you should be going counter to the legislation and policy of men whom you most admire, of all the statesmen that we have had in this country of ours? Believe me, if men

are not allowed to make laws of this description, they will not be allowed to break the law for their own benefit which they would not be allowed to make. Take my word for that; and, when I say mine, I do not ask you to put any value upon it; but I am speaking not my own opinions only. I appeal to your own consciences if I am not speaking the opinions of every one who has reflected upon the subject. Look at your own friends, they who speak most highly of you, and are anxious for the welfare of the working classes. Is there a man among them who can be found to support the practices that have been condemned by the verdict of the jury? You know there is not. There is not a man, not a thinker, not a writer, or a man of eminence or distinction, who can be found to justify you in what you have done. I beseech you to do it no more.

"Do not attach any particular value to my words unless you take them to be representative words. . . . You have done wrong. You have broken the law. You have done that which I think, as fair men, you ought not to have done; but any man may do an unfair thing, and may take an erroneous view of what is right and just. I believe—we are all willing to believe—that that is what you have done, and although ignorance of the law is no excuse for any man, it is a reason why the punishment passed upon him for what he has done in that ignorance should be light, in some cases at any rate; and I think the right

way of dealing with you will be to pass no sentence upon you, but to take your own words, your own judgments upon the matter, that you know that what you have done cannot be done without a breach of the law; to take your words for it that you will not repeat it; and to let you go out on your own recognisances to appear and receive judgment if you are called upon for that purpose."

The defendants then entered upon their recognisances, each in the sum of £100, to come up for judgment if called upon, and in the meantime to be of good behaviour towards all Her Majesty's subjects.

Having quoted Lord Bramwell's remarks *in extenso*, I will now give some account of the prosecution that arose out of the gas-stokers' strikes, as, in doing so, I shall be able to show what attitude was taken up by another eminent Judge — Lord Esher, then Mr. Justice Brett.

The case was that of The Queen *v.* John Bunn, George Ray, and others. Mr. Hardinge-Giffard, Q.C., and Mr. Besley conducted the prosecution, the prisoners being defended by myself and Mr. Douglas Straight.

The facts of the case were these. As the result of a trade union dispute between employers and employed, a man named Dilley—one of the prisoners —had been on Saturday, the 30th November, discharged by the Gas-light and Coke Company, from their

works at Beckton. On the following Monday, as the night men were leaving work, to make way for the day gang, the manager, Mr. Trewby, received an intimation that the latter had declined to proceed to their posts.

It is, perhaps, necessary to explain that the manufacture of gas has to be continuous, night and day. At this time each gang consisted of two hundred and fifty stokers. The night men went on at six in the evening, and were relieved at about five in the morning. As a matter of fact, each man only worked five hours during the night, but all of them had to remain on the premises during the whole of the eleven hours.

Upon Mr. Trewby receiving the intimation that the night men had refused to proceed to their work, he went and interviewed several of them. They informed him that they would not go on with their duties unless Dilley was taken back, and unless another man, who had been dismissed at Fulham, was also reinstated. In order to avert a catastrophe that would have affected the whole of the metropolis, Mr. Trewby consented, under protest, to take Dilley back; but he pointed out that he could give no pledge with regard to the other man, who was not under his control. Upon this, the men marched out of the gas-works in a body; and, if the company had not been able to secure timely assistance, in the course of a few hours the greater part of London would have been in darkness.

It was shown that most of the prisoners had entered into written contracts with the company, whereby they were bound not to leave their employment under one month's notice. In regard to the men who were not so bound, it was an understood thing that they were engaged subject to a week's notice on either side. It was contended, therefore, that, in throwing up their work without any notice at all, the men had been guilty of a clear and definite breach of contract. The prosecution further alleged that they had conspired together to break their contract, under the impression that the circumstances of the case would have compelled the company to give way to them. There could, indeed, be no doubt that the men had realised that, in all probability, the non-compliance with their demands would bring about a terrible disaster.

Without going at any length into the voluminous evidence produced, suffice it to say that, after a very lucid summing-up on the part of the Judge, the jury found the prisoners guilty.

The learned Judge then said:

"I am sorry to see men of your character convicted of a criminal offence; but to my mind the evidence was so convincing that the jury could do nothing but convict you. Upon me rests the responsibility of coming to a conclusion as to what is the kind of offence you have committed. You have been convicted of a conspiracy, and if I think the conspiracy a light

one, and if I think there are extenuating circumstances in regard to your conduct, I shall be bound to pass upon you a mild sentence; but if I come to the conclusion that the conspiracy is a bad one, and if I can see no extenuating circumstances in regard to your conduct, I am bound to pass a severe sentence. That seems to me to be the law. That seems to be the rule of conduct that is binding upon me, as the administrator of the law, in passing sentence.

"I told the jury that, upon the question whether they were to find you guilty or not, they ought not to be influenced by the suggestion that what you were attempting to do would be dangerous to the public; but now that I am called upon to consider what kind of conspiracy you have been guilty of, I cannot throw aside the obvious result of the conspiracy, and what must have been in your minds. I cannot doubt that the obvious result was great danger to the public of this metropolis, that that danger was present to your minds, and that, acting upon the knowledge of the effect you thought it would have upon your masters' minds, and trading upon your knowledge of the danger, you entered into this conspiracy in order to force your masters to follow your will.

"It is true that you were men of good character before. That makes me sorry that you are convicted of a crime at all. But I do not share the opinion put forward by your learned counsel, namely, that you were misled, or that you were ignorant. It seems

to me that your good character put it in your power to be the misleaders of others. The jury stated, in giving their verdict, that, in their opinion, you were misled. If it had been necessary that this fact should be established in order that a verdict might be arrived at, the judgment as to the accuracy of the contention would have rested entirely with the jury, and it would have been beyond my province to interfere. The jury would have been masters of their decision. But when it comes in the form of a recommendation from the jury, it is a matter, I am sorry to say, on which I must form my own opinion; and, notwithstanding the great deference I am in the habit of paying to the recommendations of juries, I am sorry, on this occasion, that I not only disagree with them as to your being ignorant, but that I see no evidence to entitle any man to come to that conclusion. I see no evidence of your ignorance; on the contrary, the way in which you carried out this matter, the design itself, framed with such accurate knowledge as to what would be the inevitable result of what you were about to do, and as to what effect it would have upon your masters —the very design of the conspiracy, I say, shows that, so far from being ignorant, you displayed considerable intelligence. Had this not been so, you could not have designed, and carried out, such a conspiracy as this. As to your being misled, I know not against whom the suggestion is made. I confess I cannot see any man who may be fairly said to have misled you.

"So far, indeed, from agreeing with the jury that you were misled, it seems to me, having regard to the course you took during the whole of these proceedings, that you were not among the misled, but among the misleaders, and that it is you that misled most of the other five hundred men obeying you. You were the chief actors; two of you were delegates chosen by the men, and therefore you were evidently men to whom those who chose you looked up.

"Thus, notwithstanding your good characters, you have undoubtedly put yourselves in the position of being properly convicted of a dangerous and wicked conspiracy; and the time has come when a serious punishment, and not a nominal or light one, must be inflicted — a punishment which will teach men in your position that, though they may, without committing an offence, be members of a union, and that though they may agree to go into employment, or to leave it, yet that they must take care that they do not adopt illegal means. If they adopt illegal means, they are guilty of a conspiracy; and if they mislead others, they are guilty of a wicked conspiracy. The sentence I pass upon you is that you be kept in prison for twelve calendar months."

Within the past two years I have had considerable experience of cases of intimidation arising out of strikes. Whatever view may be taken as to the utility of trade unions, no one can deny the absolute right of workmen to combine for the purpose of obtaining an

advance in wages, or for any other legal object. Strikes are in themselves lawful, and, in a great many instances, necessary for the workman's protection. It has, indeed, been shown to demonstration in this country, that the employed have needed every possible protection against their employers. A body of men who choose to strike can, however, have no possible right to use force to prevent others from working. Picketing, in the eyes of the law—as laid down in the tailors' strike prosecution—is of itself legal, but the difficulty is to distinguish where legitimate action ends and coercion and intimidation begin.

When men resort to threats, and to acts of violence, to deter their fellows from taking work, the law steps in to protect the latter. I have had before me of late many cases in which members of trade unions have displayed great tyranny towards those who either do not belong to the organisation, or, belonging to it, choose to work, out of regard to their starving wives and children.

Such instances of tyranny, I am convinced, can only be put a stop to by the infliction of severe and exemplary punishment. To merely fine the offenders is a farce, because, whatever the sum may be, it is immediately paid by the union. In my very humble judgment, the only proper sentence is one of imprisonment, and I think it a very salutary thing when the longest term of incarceration permitted by law is imposed.

CHAPTER XV.

A CHARGE OF HIGH TREASON.

The attempt upon the Queen's life—Penalties for regicide: past and present—Description of McLean—The Attorney-General's opening—An account of the occurrence—Her Majesty's narrow escape—My speech for the defence—History of the prisoner—The remarkable evidence of a clergyman—Result of the trial—A case of manslaughter—The wretched outcast—How the relieving officer received them—Bumbledom—Driven from pillar to post—Death of the little starveling—An attempt to relieve the rates.

I WAS counsel in the only case of high treason that occurred during my career at the Bar. On April 20th, 1882, Roderick McLean was tried for that he did, at New Windsor, on March 2nd, compass the life of Her Majesty the Queen, by firing a loaded revolver at her. This was, in point of fact, a State trial, being held by special commission. The Lord Chief Justice and Mr. Baron Huddleston presided. The prosecution was conducted by the Attorney-General (Sir Henry James), the Solicitor-General (Sir Farrer Herschell), Mr. Powell, Q.C., and Mr. A. L. Smith, the prisoner being defended by myself and Mr. Arthur Yates.

It was, I believe, the wish of Her Most Gracious Majesty that counsel should be retained for McLean. I and my learned friend were instructed, not by the Treasury, but by a private solicitor who had been nominated to conduct the defence.

Of course, by the ancient statutes, the most ferocious sentences were prescribed for high treason. For actual or attempted regicide it was laid down that, after a shameful procession to the gibbet, there should be decapitation, followed by the evisceration and dismemberment of the criminal. The provisions of those Acts, however, were brought within the limits of humanity by the Felony Act of Victoria, which enacts that a traitor shall be hanged by the neck till he is dead; and such was the possibility of sentence legally impending over the prisoner.

McLean's detestable predecessors in a like attempt were O'Connor, Oxford, Bean, Francis, and Pate.

The greatest interest was exhibited in the county town in which the Royal borough is situated, and from an early hour in the morning of the trial, until the result was known, all the approaches to the Court House were thronged. Inside, every available seat was occupied.

A large number of the ladies and gentlemen who had secured admission were decorated with primroses, in commemoration of Lord Beaconsfield's death; for it was Primrose Day. The Judges were habited in their scarlet and ermine robes, the High Sheriff wore his uniform, and the chaplain was in full canonicals.

Among the names of the grand jury called over was that of Sir George Bowyer, who was elected chairman.

The Lord Chief Justice, in his address to the jury, explained to them the law of high treason as embodied in two statutes, one of Edward III. (more than five hundred years old), and the other of George III.

About a quarter of an hour after his lordship had charged the grand jury, they returned a true bill. The name of Roderick McLean was then pronounced, and, amidst considerable excitement, the prisoner, guarded by two constables, stepped into the narrow dock from the subterranean passage beneath the Court. He was a melancholy-looking man, dressed in a seedy old great-coat of faded green, furnished with what had once been a velvet collar. He was wearing a black tie, which only partially concealed the frayed edges of his shirt. His whole appearance denoted misery and destitution, and I think that few who looked upon him had any doubt that insanity had marked him for its own. He was very restless and fidgety, his hands being never still. With a vacant, imbecile expression, he kept glancing hither and thither about the crowded Court.

When the usual question was put to the prisoner, he replied, in a stammering voice : "Not guilty, my lord."

The Attorney-General, in opening the case, said :

"I have to perform the duty of stating to you the facts which will be given in evidence in support of the charge preferred against the prisoner at the bar. He is

charged with the offence of high treason. That offence is one of the gravest known to the law, and, as you are probably aware, the punishment that follows a conviction is death.

"The charge preferred against the prisoner is not founded constructively on any act of an indirect character; the overt act contained within the indictment is that he used firearms, and so attempted to take the life of the Queen. Taking the life, or attempting to take the life, of any subject of this realm must necessarily form an offence grave and important; but when the attempt is made upon the life of the Head of the State, who is valued by millions in this country on account of the worth and virtue she represents, the offence is far more aggravated.

"I will now briefly place before you the facts by which the inference of the prisoner's guilt is sought to be maintained. It was on Thursday, March 2nd, that the offence was committed. On the afternoon of that day, the Queen, who had been absent a short time from Windsor, returned by train, and reached the railway station about twenty minutes past five o'clock. Shortly before five o'clock the prisoner was seen waiting at the station. He had given an incorrect account of the circumstances which caused him to be at the railway station, stating that he was there to meet a person who was to arrive by train shortly after five o'clock. Nothing more appears to have been noticed in relation to his movements until after the arrival of the Queen.

"When the carriage left the door of the waiting-room it had to pass through a gateway, and thence through a comparatively narrow passage which leads to the High Street of Windsor. The prisoner took up a position inside the gateway, mingling with the crowd that had assembled at the station.

"The Queen was accompanied in the carriage by Her Royal Highness Princess Beatrice, and by the Duchess of Roxburghe. The carriage had thus three occupants — the Queen and Princess Beatrice, sitting with their faces towards the horses, and the Duchess of Roxburghe with her back to the horses. The window on the side where the prisoner was standing was open, and Her Majesty's position must have been discernible by him. When the carriage was moving off, he seems to have stepped forward slightly from the crowd, and then he was seen to raise his arm, extend a pistol in the direction of Her Majesty's carriage, and fire a bullet. So far as we can judge, that bullet was aimed directly towards the very carriage where the Queen was sitting.

"Next morning, March 3rd, the bullet was found in a direct line from the place where the carriage was at the time the shot was fired, and the spot where the prisoner was standing. There cannot be any doubt that, had the bullet not passed a little either above or beyond the carriage, most serious results would have taken place. These facts will be proved before you directly and clearly.

"Now, every man must submit to have his acts represented by their natural result. If, therefore, a deadly weapon is employed, the natural result of which is to cause injury, or even death, there can be, and I presume will be, no minute discussion as to what was the exact intention in the prisoner's mind. It is true that, in this case, the weapon employed was a comparatively small one, and the bullet also was small in size; but, from actual experiments which have been made—the results of which will be laid before you—there can be no doubt that the bullet was capable of causing the death of Her Majesty, had it unhappily struck her. We can only express our gratitude for the protection vouchsafed to her against the act of the prisoner at the bar.

"The crime was apparently one of premeditation. Two or three days before, McLean had prepared himself for it by purchasing the pistol, and, in a document found upon him, he expressed his intention to do it.

"In a case of this kind it becomes necessary to inquire into the state of the prisoner's mind at the time he committed the offence. The humanity of the law lays it down that, if a prisoner is not accountable for his actions at the time of committing a crime, he shall be acquitted on the ground of insanity. On this occasion the prisoner at the bar has the benefit of able counsel, and I will leave it to my learned friend to trace the previous life of the prisoner up to the time of this deed.

"I wish to say that there is no desire for one moment, on the part of the prosecution, to keep back one fact which has come into their possession with respect to the mental condition of the accused. I feel that this is the course which not only humanity suggests, but justice requires. And if it shall be found by you that, at the time of the crime, this unhappy man was not accountable for his act, I am sure there will be a satisfaction felt by every subject of the Queen that it was not within the ranks of those who are sane that one could be found to lift his hand towards her, except in the attitude of respect and veneration."

Witnesses were called who, in every respect, bore out the opening statements of the Attorney-General; and, upon the case for the prosecution being closed, I rose to address the jury. I said:

"If I may be allowed to say so, I agree with every word which the learned Attorney-General has said, in opening the case, as to the enormity of the offence charged against the prisoner at the bar. No words of mine could describe the feelings of horror that permeated, not only this country, but the world at large, when the report first went abroad that, at Windsor, in the Royal borough, on the confines of this ancient county, an attack had been made on the life of Her Most Gracious Majesty the Queen. Save and except for reasons I will give you presently, it would be out of place to remind you how, for many years, Her Majesty has, with the greatest possible wisdom, ruled

a happy and contented people. I may say that when the history and story of her reign come to be transmitted and transcribed on the pages of history, our descendants will always look and speak with veneration and admiration of the good Queen Victoria.

"I make these observations because I found on them arguments which, to my mind, are indisputable. In such a state of facts as I have spoken of, it is impossible to imagine that any person in his senses should be found so deeply vile as to commit the offence which is charged against the prisoner.

"You have observed that, in the conduct of the case entrusted to me, I have not thought it necessary to put a single question to any of the witnesses called before you on the part of the prosecution. I do not dispute one word of the facts adduced in evidence.

"I do not propose to trouble you with any observations as to the question of fact; because, if I am correct, and if those who are instructing me are correct, the prisoner at the bar cannot be liable, for the reason that he is not responsible for his acts; and, instead of being a subject for loathing and execration, he is rather a subject for your pity.

"I propose, if you will permit me, without further burdening you with my remarks, to give you the history of the life of the prisoner. He was born of poor but respectable parents. His father, who was a small tradesman, found it impossible to train the prisoner from the earliest time of youth with any idea of

putting him into any business. As I will show you, in 1866 he had a severe fall, and suffered a serious injury to his head; and on this point you will hear a medical gentleman give an opinion that this was the origin of the brain mischief from which he is at present suffering. I will show you that, in 1874, he was put under the care of a doctor named Godrich, and I shall also show you, by calling Dr. Godrich and Professor Maudsley, that his parents obtained a medical certificate which showed clearly that he was of unsound mind—not of such unsound mind as rendered it necessary to put him in close confinement, but of sufficiently unsound mind to make it necessary to have him watched with the greatest care and caution.

"In 1880, he was at Weston-super-Mare, and there a certificate of his state was obtained from Dr. Hitchens, after which he was received into the Bath and Somerset Lunatic Asylum, at Wells. I shall call the superintendent of the asylum to show that, during the time he was under his care—which was until July 21st, 1881—he was a lunatic. He was discharged after a very considerable period of probation; and the superintendent will tell you that, at the time the prisoner was discharged, he (the superintendent) was very careful to state his belief that the insanity would at some future time return. I will show you that, for some time afterwards, the prisoner seems to have wandered about the country, sleeping and resting—whatever rest

such a poor wretch as he could have obtained—in the wards of workhouses.

"This was up till February of this year. I next trace him at Newtown Vallance, in Hampshire, in February, 1882; and here a remarkable thing happened. As a clergyman named MacLachlan was standing at the door of his garden, he observed, coming along the road, a figure staggering as though in great pain. He called the attention of his gardener to the fact, and, just at that moment, the man fell down in what, I think, you will have no doubt was an epileptic fit. The reverend gentleman caused the man to be assisted, and wished him to stay; but, on his recovery, he insisted upon pursuing his journey, and tottered off along the road. Mr. MacLachlan sent his gardener to follow the prisoner to the nearest town, and there got him provided with a lodging for the night.

"It is an extraordinary thing, but, on March 2nd, Mr. MacLachlan, who has sons at Eton, was present at the Windsor railway station when this desperate attempt was made on the life of our sovereign; and, to his astonishment, he at once recognised in the person who fired the pistol the man who, on that day week, at Newtown Vallance, had a fit outside his door.

"I shall call a medical man who has examined the prisoner since his confinement in Reading Gaol, and he will tell you that the man is unaccountable for his actions, and that, at the time of committing this act, he was an irresponsible agent, not knowing the

difference between right and wrong. Medical gentlemen have been called in on the part of the Crown, and I believe they also will be of opinion that he is unaccountable for his actions. I will show you, by letters to his relatives, that the prisoner has been, for a considerable period, suffering from homicidal mania, and that he was under the impression that the whole of the public was against him. He has, over and over again, written letters to his sister stating that, if persons were not debarred from doing him some supposed injury, he would take human life.

"I think you will be of opinion, from these facts, ranging from 1866 up to the time of his being confined in Reading Gaol, that this man is unaccountable for his acts. If you arrive at that conclusion, according to the evidence, it will not only be your duty, but your pleasure, I am sure, to say that the prisoner is not guilty of the crime for which he is indicted; and that will be a verdict which will be read with a feeling of relief by the whole nation. I think, gentlemen, that you will be of opinion that this man should not be punished, but that he should be confined for an act that was not committed by him as a responsible person, but committed under the influence of a condition of mind visited upon him by the Almighty."

I then called witnesses to substantiate the statement I had made, and, Sir Henry James having replied, the Judge summed up.

After five minutes' deliberation, the jury returned

a verdict of "Not Guilty," on the ground of insanity; and the Judge thereupon directed that the unfortunate malefactor, suffering under the visitation of God, should be detained during Her Majesty's pleasure.

I now come to the consideration of a less important but somewhat serious trial. I refer to a case of manslaughter that was tried at the Old Bailey, before Mr. Justice Quain, about twenty years ago. George Cannon, described as a superintendent of St. Giles' Union Casual Ward, was charged with feloniously killing and slaying Charles Chadwick. Mr. Poland prosecuted, and I appeared for the defence.

The circumstances of the case were very pathetic. In the month of November, during a winter of unusual severity, a poor woman, with a baby in her arms, and leading two other little ones by the hand, applied for admission at the Cleveland Street Workhouse. She was wet, weary, cold, and hungry, and this was not to be wondered at, for she had neither food nor money, and had walked a long distance in the snow and cutting east wind. The weather, indeed, was so bad that one would have thought it impossible for anybody not to have felt the greatest compassion for these miserable outcasts.

The woman received an order for admission into the Casual Ward in Short's Gardens, Endell Street. She passed out again into the pitiless storm, and, somehow or other, managed to make her way to

that institution, where she arrived more dead than alive, and wet to the skin.

George Cannon, the relieving officer, and my client, was alleged to have received the wretched waifs with the following observation :

"Oh, you're drunk again, are you? Stand over there, you drunken beast;" and, with this affectionate and Christian greeting, Cannon called a constable, and gave the woman and her three children into custody.

The constable, a man named Kemp, ventured to remonstrate. Possibly, and very likely, he was a husband and father himself. He said :

"You are surely not going to charge this woman with drunkenness?"

"Yes, I am," was Cannon's reply.

"Well," said the constable, "how about the children? You can't charge them with being drunk also."

"You will have to take them all," was the only response the superintendent deigned to give.

There was nothing for it, and so the officer marched the woman and her children off to Bow Street. Cannon attended at the station to substantiate his allegation of drunkenness; but as was natural, when the matter came to be investigated by the inspector, the charge fell to the ground. Then, to show to what a length Bumbledom will be carried, my client preferred against the woman and her children the further charge that they had attempted to obtain relief under a false name.

Most properly, the inspector refused to entertain this accusation for a single moment; and Mr. Cannon thereupon took his departure. The miserable outcasts were then taken back in a cab to Short's Gardens; but once more Cannon refused them admission.

The officer in charge of these poor creatures adopted the only course that seemed open to him, and took them to Cleveland Street, where they were taken in, and proper accommodation provided for them.

The woman and her children had been passing about the streets, hurried from pillar to post, during the greater part of that terrible night; and, as was not surprising, on the following morning one of the little ones was found to be suffering from inflammation of the lungs. Medical aid was procured, and every assistance rendered, but in two days' time the poor little starveling was dead.

An official inquiry was instituted, and the result was the charge of manslaughter against Cannon.

There was no doubt that the child had died of exposure to the damp and cold; but the question was whether the prisoner's repeated refusal to admit the wretched creatures to Short's Gardens was the real cause of death. Of course the only defence that I could set up (and, I am afraid, even this went very much against the grain) was that the prisoner was not criminally liable as to the proximate cause of death.

The jury, without very much deliberation, returned a verdict of "Guilty."

When the prisoner was asked by the Judge if he had anything to say, he replied that he was very sorry that he had done wrong. He had been, he said, three years in the same employment, and, during that time, had been praised for doing his duty, which he believed he was doing on the occasion in question. In conclusion he said that what he had done had been done with a view to relieving the rates.

My client was sentenced to twelve months' imprisonment with hard labour, and, as is not unusual in the case of those convicted of great brutality, he left the dock crying, and making loud lamentations.

CHAPTER XVI.

THE SCUTTLING OF THE SEVERN.

The Admiralty jurisdiction of the Central Criminal Court—Charge of scuttling and casting away a ship—Evidence of the captain—The insurance — Arrangements for the voyage — The cargo — Curiosity of the mate—The weather—An unexplained leakage—Seven holes — Getting out the boats — The men's discovery—Deserting the vessel — Tampering with the log-book — Apprehensions of the captain—The mate's assurances — Evidence of the sailors—Severe sentences.

Besides exercising judicial functions in respect of the Metropolitan District, and a portion of Surrey, Kent, and Essex, the Central Criminal Court has an Admiralty jurisdiction—that is to say, it has the power of trying prisoners alleged to have committed offences upon British vessels sailing on the high seas.

Not many years after my call to the Bar I was engaged in a very remarkable maritime case. It arose out of the scuttling, and casting away, of a ship called the *Severn*.

The men placed upon their trial were Charles Webb, Thomas Berwick, Lionel Holdsworth, and Joseph Dean

The first-named was charged with casting away the vessel, with intent to defraud, and the others were indicted as accessories before and after the fact.

The Solicitor-General, Mr. Giffard, Q.C., Mr. F. H. Lewis, and myself appeared for the prosecution. Webb was defended by Messrs. Sleigh and Kemp; Berwick, by Serjeant Ballantine; Holdsworth, by Serjeant Tindal Atkinson and Mr. Warner Sleigh; and Dean, by Mr. Ribton.

Holdsworth was a ship insurance agent and broker, carrying on business in King Street, Liverpool; Berwick was a shipowner, residing in the same city; and Dean was Holdsworth's clerk. Webb, who was returned in the calendar as only twenty years of age, had shipped on board the *Severn*, on its outward voyage, in the capacity of mate.

The principal witness for the prosecution was Hugh Thomas Leyland, the captain of the vessel. He deposed that he had commanded a ship for Holdsworth as far back as 1866. That ship, which was called the *Thomas*, was lost in a gale of wind off the west coast of Scotland. In March of the same year, he was requested by Holdsworth to be in readiness to take command of the *Severn*, the latter stating that some friends of his were about to purchase her.

It appeared that the captain and Holdsworth had an interview at the latter's office in Fenchurch Street, Dean being present in the discharge of his clerical duties. At that interview, Holdsworth informed

Leyland that his friends had purchased the *Severn*, that she was on her way from London to Newport, and that she was chartered to Shanghai. Definite arrangements were made on this occasion for Leyland to take command of the vessel.

At a subsequent date, in consequence of instructions he received by telegraph, the captain proceeded to Newport, where he met Holdsworth and Berwick. They all dined together, and during the meal Berwick stated that he had procured a mate from London, adding that he had known the man for many years. It was stated, in the course of conversation, that the ship would cost £7,000 to put to sea, and that it was proposed to insure her for several thousand pounds. Leyland's companions informed him that they did not expect the *Severn* to reach China, and they added that, in the event of her not doing so, he would receive £700. They went on to state that they wanted a man whom they could thoroughly rely upon, and that he was in no way to interfere with the mate. During the dinner it was suggested to Leyland that it would be as well if he insured his personal effects for £200. That same evening Holdsworth introduced Leyland to Webb, the mate.

Before the vessel sailed, an enormous number of cases was taken on board as part of the cargo. They were represented to contain metal and firearms, but, as a matter of fact, they were filled with salt.

The bill of lading stated that the shipment was

from William Allsopp and Company, and that it comprised rifles, carbines, sabres, swords, etc.

Holdsworth ordered the stores, and was responsible for the provisioning of the vessel.

When the *Severn* had been some few days on her voyage, Webb made his appearance from the storeroom, and informed the captain that he had opened one of the cases, and found that it contained salt. Leyland told him that he had no right to do so, whereupon Webb replied that he had been anxious to know exactly what the cases contained.

They had good weather until the vessel arrived off Cape St. Vincent; then they encountered a gale of wind, which, however, did not amount to a storm. The order was given to close-reef the upper topsail.

It was stated in evidence that there was nothing in the weather to cause the ship to draw water. She did so, however, and her leakage increased very quickly. From that time—which was about a fortnight before the vessel actually went down—the men had to pump her every two hours.

In time the gale abated, the trade winds set in, and they had very fine weather. Nevertheless it was still necessary to work the pumps.

On the 14th of June the leakage increased, and at about eight o'clock on the evening of that day, Webb came to the captain and asked him to get the boats ready, as the water was gaining on the pumps, and the ship was going down. The captain, according to his

own evidence, turned round to Webb and charged him with tampering with the ship. The latter replied: "It is done, and can't be undone." The captain alleged that he then asked Webb what he meant, and that Webb replied: "I have bored a hole, and in the act of driving a plug in, I have broken it in the skin. I can't possibly stop it." The captain told him that he must be mad to do such a thing to a ship so far from land, adding that he had better go below and endeavour to stop the leak, as it would be plain to every one that the ship had been tampered with.

Webb went below, but returned in about ten minutes, saying that it was quite impossible to mend matters now, as the water had flowed over the hole. The captain remarked that every man in the ship would be destroyed, to which Webb replied: "Then you had better get the boats out at once. There's no chance of saving her."

At this time the nearest land was Cape Verd, and the vessel was about one hundred and eighty miles to leeward of the closest point. The captain held the ship up for Port Baya, which was the only port they were able to fetch. The crew were divided into three watches, and kept continually at the pumps.

On the 15th of June matters assumed so serious an aspect that the boats were held in readiness to be lowered, and provisioned for twenty days. The long-boat was filled with men, loosed down by the tackle, and allowed to go astern.

A few minutes after this had been done Webb went down to the cabin, and informed the captain that the men in the long-boat were crying out that they saw two holes in the stern of the ship; and he added that he would have to go on board of her and shove off. He did so, and the long-boat cruised off in the distance, ahead of the ship.

About six o'clock in the evening the long-boat returned alongside, and Webb came on board the *Severn* and had a further conversation with the captain. The latter remarked that the merest child could tell that the vessel had been wilfully destroyed. Webb replied that there was nothing to fear, that he could buy the whole of the crew over, and that he did not believe any of them had actually seen the holes.

During this interview Webb asked the captain to leave the ship, but the latter declined to do so, saying that he would rather go down in her than face the exposure that was inevitable. "Well, you can do as you please," said Webb, and he then returned to the long-boat, and cruised away.

The carpenter, the boatswain, and three other men—that is to say, the crew of the gig—remained on board the *Severn* with the captain. Shortly before eight o'clock Leyland yielded to the persuasion of his companions, and they all got on board the gig and rowed away from the ship, which, in less than an hour, went to the bottom.

The captain steered the gig about until the next morning, when he found the long-boat, and the whole

party was eventually picked up by the *Arequipa*, and taken to Pernambuco.

The log-book of the *Severn* had been kept by Webb, and, upon the captain looking over it, upon their arrival at Pernambuco, he declared that it was "exaggerated too much." Webb thereupon cut some of the pages out, and rewrote certain portions of the log.

The party came home to Southampton in the steamer *Oneida*, Leyland and Webb occupying the same cabin. On the voyage, according to the captain, his mate informed him that he had bored seven holes in the bottom of the ill-fated vessel. He went on to state that he had done the same thing in the case of the *Jane Brown*, adding: "I know the trick very well. I can put the plugs in, and take them out at pleasure."

When they arrived at Southampton, the captain telegraphed to Holdsworth, and then at once proceeded up to London, and saw that gentleman in his office at Fenchurch Street. Leyland said: "I am sure that the thing will be found out. The men saw the holes, and they have threatened to report it." Holdsworth replied that it was a bad job, and added that he would hear what Webb had to say in the morning. Leyland remarked that he was sure the matter would come to light, as the vessel had been lost in a calm.

Next day the captain went again to the office in Fenchurch Street, where he found Holdsworth and Webb together. The latter said that the ship's crew had seen him off at Southampton, and had given him three cheers.

He added : "It is all right, and will never be found out. I have spoken to the carpenter, and find that he did not see the holes. Only Kelly and the boatswain saw them ; but I have talked them over, and we shall hear no more about it."

It was alleged at the trial that a false log-book had been manufactured, with the assistance of Dean ; and it was also given in evidence that, upon its being produced, the captain had remarked that it would never pass muster, as any one could see that it was quite new, and had never been used at sea. Upon this—so the Court was informed—Holdsworth and Berwick both wetted the edges of the leaves, and rubbed them. Not reassured by this proceeding, the captain insisted that the discovery of the fraud was imminent, and that he should be ruined. Holdsworth replied : "Nonsense. I'll give you £10 a month to keep you going until the insurances are recovered."

Inquiries were afterwards instituted at Lloyd's ; and this trial was the result.

The men who were in the long-boat testified to the fact that, while she was lying astern of the *Severn*, they saw holes just below the water-line of the vessel.

Evidence was also given as to the nature of the cargo, and as to the insurances that had been effected.

The case, which occupied five days, terminated in a verdict of "Guilty" against all the prisoners.

Holdsworth and Berwick were sentenced to twenty years' penal servitude, Webb to ten, and Dean to five.

CHAPTER XVII.

A CHAT WITH MRS. KEELEY.

The children from the hospital—Mrs. Keeley's first appearance—Playing in the provinces—Stage fright—Miss Kelly's prophecy—Joe Wood and his son—Anecdote of Douglas Jerrold—The salary of a leading actress sixty years ago—Mr. and Mrs. Keeley in America—An embarrassing position: "For God's sake do something"—*Uncle Tom's Cabin*—The savage dog and his late mistress—Mrs. Keeley as Smike—Comic or pathetic?—Dickens's remark about the robins—A strong cast.

I HAVE had some conversations lately, on the subject of the drama, past and present, with, in my judgment, the most remarkable woman of the age. I am alluding to my mother-in-law, that popular histrionic favourite, Mrs. Keeley.

She entered upon her eighty-sixth year the other day, but is as bright, cheery, and intelligent as when first I knew her some thirty years ago. On her recent birthday she was presented, by some of the little inmates of the Hospital for Sick Children, with the following verses, written by that graceful poet, Mr. Ashby-Sterry:

> Dear Mrs. Keeley, pray, have you the time
> This day to list to children's simple rhyme?
> 'Mid birthday gifts and birthday odes can you
> Bear with your little friends whose words are few?

Will you forgive the trembling word that trips
From grateful hearts and halts on baby lips?
And kindly think what eloquence can rest
Within the thought that may be unexprest.

How oft at eventide, with lowered light,
When tender nurses watch us through the night,
And sweet-toned whispers strive to soothe our pain,
Oft has the tale been told and told again—
How the Good Fairy came two years ago,
And brought her subtle spell within our Show:
And how she spoke and pleaded till she drew
Bright tears from eyes—bright gold from pockets, too!
She worked such wondrous charms, she made them bring
So many feathers for our brave New Wing:
She made it grow—'tis now almost complete—
And feathered *such* a nest in Ormond Street!

Two years! 'Tis half some children's lives—but yet
The Fairy's visit we can ne'er forget!
We wished to take a trip to Fairyland,
To hear her voice again—to kiss her hand:
To thank her for her gracious, gentle arts,
To tell her how she lives within our hearts!
We thought, we planned, we plotted—all in vain!
'Twas far too much for tiny strength and brain,
The project nearly failed—so in this fix
We sought our kindly Matron, dear Miss Hicks:
She, to our troubles, lent a willing ear,
And swiftly, flower-laden, brought us here!

And now, dear Mrs. Keeley, good old friend,
We'll bring this childlike chatter to an end!
One moment—let us ask you but to take
These simple flowers and wear them for our sake!
A pledge of the good wishes we'd convey,
And all bright blessings on your natal day:
Though flowers may fade, your little friends keep true,
And ne'er will fade the love they bear for you!
We wish you all good luck and may you thrive,
As happy always as at Eighty-five!

In chatting over her past career, I observed to Mrs. Keeley:

"I am quite sure an account of your experiences, or at any rate of a portion of them, would be of intense interest to the public. Of course, a great deal has been written about the drama of the present day, but very little of the stage in days gone by."

"Well," she replied, laughingly, "let me observe in the first place, that I never ran away from school, and that I am not descended from the Plantagenets. Now, I suppose I ought to commence with some account of my early days. I was born at Ipswich, and the great family in that neighbourhood were then, as now, the Cobbolds. Mrs. Cobbold was very kind to me, and I passed a great deal of my time with her at Holywells. I remember seeing there the white horse on which Margaret Catchpole, Mrs. Cobbold's servant-girl, rode away after her sweetheart. She was tried for stealing the horse, as I dare say you have heard, and sentenced to be hanged. In those days they used to hang for nearly everything; but you know all about that, and I am quite sure you have read the history of Margaret Catchpole.

"When I was quite young I was apprenticed to Mrs. Smart, who took pupils. I joined her at Yarmouth, where she was spending her holidays; and I used to help her teach the young people. Mrs. Smart, you know, was the sister of Sir George Smart.

"I was well known to all the actors who were then

at Yarmouth—Bellamy, Beauchamp, George Bennett, and the rest of them. They used to say of me: 'Why don't you let her try her hand on the stage?' and it was finally arranged that I should make my first appearance in the part of Lucy Bertram, in *Guy Mannering*. I shall never forget that first appearance. I fancied, do you know, that I looked such a guy, and I remember that I made a sketch of myself at the time. I succeeded very well, they told me; and after that I went to Dublin, where I appeared in *The Beggar's Opera*. Mr. Hunt was Captain Macheath and I was Polly Peachum. Just before this, in 1824, Hunt's brother was tried for being connected with Probert and John Thurtell in the murder of Mr. William Weare.

"I remember the case well. Probert turned King's evidence, and Thurtell was convicted and hanged. Hunt was transported, if I remember aright. A curious circumstance was that, in the following year, Probert was hanged on a charge of horse-stealing.

"From Dublin I went to a number of English towns. I suppose I must have spent about two years in this way, and then I came up to London, where I first appeared as Rosina and in a farce called *The Spoiled Child*, in which I played little Pickle. I made this appearance at the Old English Opera House, now known as the Lyceum. Arnold, the father of the late police magistrate, was the manager of the theatre. He owned all Exeter Street, if you remember.

"On this occasion I recollect that Mr. Broadhurst,

the tenor, and the celebrated Miss Kelly took parts. I was so dreadfully frightened when I got on to the stage, that I turned round, and was going to bolt back into the wings; but Broadhurst caught hold of me, and, I think, swore. It was rather extraordinary on the occasion of a first appearance in London to take both an operatic and a comic part.

"I remained in this company for a long time. Mr. Keeley was also in it, and we played a good deal together. I remember one night, while I was on the stage, seeing Robert standing in one of the wings with Miss Kelly, and hearing her, as she put her hand on his shoulder, say: 'You will marry that girl.' She was right, and after our marriage we played both at the Opera House and at Covent Garden. The piece in which we first appeared at the latter theatre was called *The Middle Temple*. I remember a very funny incident in it. In one scene Mr. Keeley had to say: 'Am I right?' and the audience took the matter up, and shouted: 'Yes, Keeley, you are right.'

"At the Lyceum we played in *The Serjeant's Wife*, and the odd thing was that, though I didn't know it at the time, I was in the first place assigned the part that Miss Kelly afterwards took. Miss Kelly said it was not at all the sort of part to give a very young person, and she was right, for she herself did it splendidly. I played Margot and Mr. Keeley was Robin. I have a very vivid remembrance of two lines that occur in the piece. Some one says: 'Yes, Robin,

yes; you go and retire. Go to your repose;' to which Robin replies: 'Yes, but I can't repose without Margot. Other parts were taken by O. Smith and old Chapman.

"When Charles Kemble had Covent Garden I was engaged there, and I played the part of Agnes in *Der Freischutz*. Mr. Keeley and I remained many years at Covent Garden and at the old Lyceum. We were at the Opera House, in fact, until just before it was burnt down. I remember appearing there with Joe Wood in *The Bottle Imp*, which was a very great success. By-the-bye, I had a letter from Joe Wood's son the other day, congratulating me upon my birthday. Mr. Wood stated that his father had died a week before, at the age of ninety, and he added that the old gentleman was talking of me in his last moments.

"Fanny Kemble also appeared with me at the Opera House. Of course in those days actors and actresses remained a very long time at one place. I remember Morris talking one day to Douglas Jerrold about the long stays some of the members of the company had made at the theatre. 'There's Fred Vining, for instance,' said Morris; 'he belongs to these boards with a vengeance.' 'Yes,' replied Jerrold, 'and he looks as if he were cut out of them.'

"By-the-bye, talking about those early days reminds me that I came across a letter a week or two ago, which stated that Mrs. Glover was to receive £12 a week during her engagement at Covent Garden.

And that was in the very height of her fame! What different salaries are paid in the present day.

"When, after many years, we left Covent Garden —where, I may mention, Mrs. Chatterly and Miss Chester were members of the company, the latter being the high comedy lady—we went, if I remember aright, at once to America. That must have been in 1836. Price sent us over there, and I well remember certain circumstances connected with our visit. In those days, of course, nothing was known of English actors and actresses across the Atlantic. The American people didn't want us, and I don't suppose, indeed, that they had ever heard of us. The newspapers did not teem with theatrical intelligence then as they do now. I remember Mr. Keeley saying to Price: 'Mr. and Mrs. Keeley are nobody over there. What's the good of our going?' Price replied: 'You go over and you'll see.' Well, we went, and I am not likely ever to forget the voyage out, because when we were in mid-ocean a poor young fellow, one of the passengers, fell overboard and was drowned. On the first two nights of our appearance in America the house was very poor. It was on the morning of the third day that Mr. Keeley said to the manager: 'Excuse me, but I go back home by the first available boat.' The manager drawled in reply: 'Well, perhaps you're right, but I'd wait over Thursday night if I were you.' On the Thursday morning he came to us and said: 'Well, now, suppose

we go and see how the box plan looks?' We went, and what do you think?—it was absolutely full. We had made a hit, and the pieces went enormously. It was a little remarkable, because we hadn't brought over a single letter of introduction, and there hadn't been a word about us in the press.

"We stayed in America twelve months. On our return to England I appeared in *Jack Sheppard* at the Adelphi. At that time Yates, the father of Edmund Yates, was the manager. Both he and his wife were playing.

"*Jack Sheppard* had a great run. Mrs. Seymour took the part of Winifred Wood, and Paul Bedford was Blueskin. What an enormous success was the song of 'Nix my Dolly Pals, Fake Away.' As originally arranged, I was to sing the whole song; but a brilliant idea struck me at rehearsal. I decided that, if I confined myself to the simple refrain, and Paul came in at the end of each line with 'Fake Away,' it would have an excellent effect. I made the suggestion, and it was resolved to act upon it. On the first night the song was encored over and over again, and it turned out to be one of the great hits of the piece.

"*Jack Sheppard* was a very exhausting piece for me—so much so, indeed, that I remember on one occasion resting on the sofa between the acts, and falling asleep; and they only just managed to rouse me in time for the raising of the curtain.

"On another occasion a hitch occurred in the scenery. There was a front scene on, and I was about to leave the stage—after striking down the man who had been following me, and trying to effect my capture—when Yates appeared at the wings, and whispered: 'For God's sake do something. The scenery behind has gone wrong, and we are not ready yet.' It was a terrible position for me, but I faced it, and fought my way through those few minutes as best I could; and what I said on the spur of the moment went so well that it was afterwards permanently introduced into the piece.

"I had many triumphs at the old Adelphi, both at this time and in subsequent years. What a furore *Uncle Tom's Cabin* created! Céleste, Miss Woolgar, Alfred Wigan, and Sam Emery were in the cast. I was Topsy, and Emery was Legree.

"Some weeks before the production of the piece, I had in my possession a beautiful black and white half retriever and half Newfoundland dog. He was gentle enough with me, but very savage with every one else, and I had at last to get rid of him; so I gave him to the man who was training the dogs that were to be used in pursuit of the runaway slaves—you remember the scene—and of course I cautioned him to on no account allow the brute to run about at large. One night, however, shortly after the production of *Uncle Tom*, the animal broke loose; and I shall never forget the fright I had. I and the rest of the slaves, male and female,

wore a kind of canvas trousers. Well, I was in this costume, toiling up the steps at the back of the stage, with the child on my back, when I suddenly caught sight of this wretched dog in hot pursuit. Of course he didn't recognise me. I was hurrying off as fast as I could, anticipating the most unpleasant fate, when, to my inexpressible relief, the super-master rushed forward, seized the brute, and dragged him back into the wings.

"You remember Bob Romer? He was in *Uncle Tom's Cabin*, too. One of my greatest successes was in the *Last Days of Pompeii*. Macready was good enough to say he was more struck with it than anything I had done before, and Mrs. Yates came round to me between the acts on the first night, and said: 'If you play the next act as you played the first, your fortune's made.'

"In 1844, Strut, a lawyer living in Buckingham Street, took the Lyceum for a month or two, and engaged Mr. Keeley and myself to play there. It was during that time, I think, that I appeared as Dolph Heyleger. The speculation turned out so well that Mr. Keeley and Strut subsequently went into partnership and managed the theatre together."

"When did you play Smike?" I said.

Her answer was:

"Oh, that must have been before. I appeared, you know, both as Smike in *Nicholas Nickleby* and as Oliver in *Oliver Twist*. Yates played Fagin, and a magnificent piece of acting it was. As Smike, I was made up

a most sad and destitute-looking object, and I shall never forget an ordeal I had to undergo on the first night. The curtain went up and discovered me sitting alone before a wretched fire. I had to rise from where I was, and crawl my way down to the footlights, without speaking. The gloom at the back of the stage had been so dense that I don't think the audience had seen me at first. As I came stealthily forward, they did not quite understand the situation. My costume was certainly very odd, and, as I had recently been playing in many comic parts, I suppose they expected something funny from me. The house evidently thought the scene was intended to be comic, rather than pathetic, and there were roars of laughter. I stood it out; but it was the most difficult task I ever had. I spoke a few words and the laughter ceased. There was a dead silence, and, as it were, a stifled sob; and, in a few minutes, there was scarcely a dry eye in the house.

"Somehow or other the audience always seemed to take a personal interest in me. I remember when *The Cricket on the Hearth* was brought out, I had just recovered from a fearful illness, and had no business to play. I was looking very sadly, and there had been some doubt in the public mind whether it would be possible for me to appear. I did so, however, and I don't think I was ever more gratified, for a number of people in the audience, the instant they caught sight of me, shouted out: 'Oh, Mrs. Keeley, we *are* glad to see you.'

"Dickens superintended the rehearsals of *Nicholas Nickleby*, but I don't think he cared much about any of his works being dramatised. Well, you see, the plays were mere paste and scissors, done by old Stirling, and, at rehearsal, the novelist knocked them about pretty considerably, always effecting an improvement. I remember that in *Nicholas Nickleby* the adapter had put into Smike's mouth a lot of stuff about 'the little robins in the field;' and I shall never forget Dickens's face when he heard me repeating these lines. Turning to the prompter, he said: 'D—n the robins; cut them out.' What a remarkably pleasant and genial fellow he was! Our children and his were a good deal together then. We all went down to the Isle of Wight for our holiday together, and I passed some of the pleasantest days that I ever remember at Bonchurch.

"Burlesques and extravaganzas were very different then to what they are now, though I really doubt, if the polished pieces written by Planché were produced at the present moment, whether they would draw a shilling. I am inclined to think not. But they were gems. Our most successful extravaganzas were played when we were at the Lyceum. *The Forty Thieves* was one of the best of the kind ever produced. I played Morgiana. Mr. Keeley, Miss Woolgar, and Miss Fairbrother were also in the cast.

"One of the pieces which I consider most famous for individual acting was *Martin Chuzzlewit*. Mr.

and Mrs. Wigan, Miss Fortescue (Lady Gardner), Miss Woolgar, and Mr. Emery took parts. What a marvellous piece of acting was Wigan's Montague Tigg! How brutal Emery was as Jonas Chuzzlewit! Well" (pointing to a picture on the wall), "there is Mr. Keeley as Sairey Gamp. I played Bailey, junior, Vining was Martin, and Frank Matthews—well, there! he *was* Pecksniff. Collier played Betsey Prig, old Turner was Nadgett, and poor Jack Saunders took the part of Mark Tapley. I don't think there ever was a stronger cast for a melodrama."

CHAPTER XVIII.

A FURTHER CHAT WITH MRS. KEELEY.

An arduous night's work—Mrs. Keeley's fall from the ladder—*The Cricket on the Hearth*—Public taste, past and present—Miss Fairbrother and Miss Woolgar—"Half-price"—Two lines that made a great hit—The dog and the costume—Edmund Kean, Macready, and Farren—Mrs. Nisbett and her wonderful laugh—Mr. Keeley's indignation—Ideal managers—Theatrical speculation—Benjamin Webster—Two excellent Mrs. Malaprops—Playing at Windsor Castle—Robson—Mr. Keeley's Shylock—Keeley Halswelle's landscape: the original and the copy.

"HAVE you any further recollections of your stay at the Adelphi?" I asked Mrs. Keeley, on resuming the conversation at a subsequent date.

"Well," she said, "I don't think I told you of one very arduous night's work that I had. Webster made me play Topsy and Jack Sheppard on the same night once. I thought I should have died.

"Perhaps you remember the accident I had on the stage. It was the carpenter's fault. In one of the scenes in *Jack Sheppard* a number of people had to go up one side of an almost perpendicular ladder, and I had afterwards to come down on the other.

Of course the ladder ought to have been securely fastened at the top; but the carpenter didn't take this precaution, contenting himself with merely resting it against the woodwork. Well, all those who had to make the ascent got on all right, but the case was very different with my descent. It was a much more rapid one than I cared about. Almost at the first step, the ladder toppled and fell, and I came down with a crash. My ankle was broken, and I was laid up for two months.

"After we left the Lyceum, Charles Mathews took it with Vestris, but we had nothing to do with it during their management. We went to the Haymarket. At that time Webster was lessee both of that theatre and of the Adelphi. By-the-bye, I don't think I told you what was the cast in *The Cricket on the Hearth*. Well, Sam Emery was John Peerybingle—it was an extraordinary piece of acting—Mary was Bertha, old Fred Vining was the Stranger, and Meadows was Caleb Plummer. In pathetic parts there were few better actors than Meadows.

"*Valentine and Orson* was a very fine burlesque. Mr. Keeley played Orson and I played Valentine. It made a great hit when it was originally produced at the Adelphi, but years afterwards we played it and it failed completely. Of course the pieces of the present day are adapted to the audiences of the present day. They like what they term 'variety shows.'

"I wish the weather wasn't so cold, for I want

to walk over to an old print-shop in Kensington, where, I am told, there is in the window a splendid likeness of Miss Fairbrother as Robin Hood. She was a very beautiful woman, as perhaps you remember.

"In the *Forty Thieves*, and as the Prince in *Aladdin*, she was incomparable. Her powers as an actress were, indeed, very great; but what a pity it was that she allowed herself to fall into a particular groove! She had a number of queer little mannerisms, including a very peculiar wriggle, and, although they were tolerated, and even approved, in so young and beautiful a woman, the danger of retaining them was manifest. I remember discussing her peculiarities with several persons one day, and observing: 'How I wish I could cure her of her wriggle, and her other little ways!' 'Do you, indeed?' some one exclaimed, indignantly. 'Why, if you succeeded, you'd ruin her.' It was all very well for her enthusiastic admirers to talk in that way, but what I said was quite right. She took those peculiarities into later life, and, of course, it didn't do.

"Miss Woolgar was wonderfully successful in the Adelphi dramas — *The Flowers of the Forest*, for instance, in which she was Lemuel, and Céleste was Cynthia. I was not in the cast, but Wright and Paul Bedford were, and the piece brought crowded houses. Wright was a very funny actor, but, to my taste, he was always a little coarse. For real genuine fun, and what we used to call, in those days, 'legitimate low

comedy,' I confess I was very fond of Buckstone. In Shakespearian clowns, and eccentric parts requiring dry, quaint humour, Compton was incomparable.

"I played in *Geneviève; or, the Chevalier de la Maison Rouge*, and here again there was a remarkable cast—Webster, Alfred Wigan, Céleste, Mr. Keeley, and last, but not least, Leigh Murray. How good Leigh Murray was in everything! Do you remember him as Captain Damer in *The Camp at Chobham*? Mary played the part of his daughter, and Mr. Keeley was Cadbury. Talk of farces — what a farce that was! But then that style of entertainment was very often the staple commodity of the evening then; and we have no farces now. Of course there is the curtain-raiser; but this is generally some little piece borrowed from our neighbours—I mean, adapted from the French. Possibly the abolition of 'half-price' had something to do with the disappearance of the farce. At nine o'clock, you know, by paying half the price of admission, you could go to nearly every part of the house, so of course it was necessary to split up the entertainment; and at some of the theatres we had three, and even four, pieces on the same night.

"But to return to *Geneviève*. A very funny incident occurred in it. I took a part in which, in one scene, I appeared in boy's clothes, and wore trousers. I was taken before the Judge, and examined, one of the questions put to me being: 'Now, then, where are your accomplices?' to which I answered: 'I don't wear

any. They keep up without.' Those lines made a wonderful hit, and after a few nights it was superfluous for me to answer the question. The audience did it for me.

"Then I remember a rather amusing dressing-room incident. One night, Céleste was suddenly taken so ill that she couldn't appear, and Miss Woolgar was called upon to take her part. She came hurrying into the dressing-room to get the costume that had to be worn in the first act. It was on a chair, and Delph, Céleste's dog, was on the bundle, prepared to defend it with his life. Entreaties and threats were alike unavailing—the dog showed his teeth, and would not budge an inch. Poor Miss Woolgar was in despair; but eventually some one (I think Céleste's dresser) was called in, who captured the animal and took it away.

"When at the Haymarket, I was one day asked by Webster if I would play the Fool in *King Lear*, which was to be produced on the following evening, on the occasion of Macready's farewell. Well, you know what a long part it is. I demurred at first, but they insisted, so I at last gave way; and I stayed up all night to learn the words. It went all right, and Macready congratulated me upon the performance.

"If asked to say who were the greatest actors of my time, I should, for tragedy, put Edmund Kean first, and Macready next; and, for comedy, I should give the palm to old Farren. Farren was a great actor.

In his line I've never seen anybody to touch him. The odd thing about him was that in private life he was anything but bright. I remember his telling me that he did not care about books, and that he never read anything but his parts; and I could quite believe it. I saw him—I rather think it was on the first night—as Sir Harcourt Courtley, in *London Assurance*. On his entrance, the valet, Cool, had to trip up to him and remove his cloak, thereby revealing the handsome old man in the full majesty of his appearance; and, though of course he had already had his reception, he was now accorded a second, and more enthusiastic one.

"Mrs. Nisbett was a wonderful actress. No one will ever touch her Lady Gay Spanker. You remember her extraordinary laugh? How far away, before she made her appearance from the wing, it rang merrily and musically through the house! It was contagious, and the whole audience joined in it even before she actually appeared. One evening, Robert, who was out of the bill, visited one of the other theatres, and upon his return, as though violently indignant with something, he banged his hat down upon the table. 'Well, what in the world is the matter?' said I. 'Matter,' he retorted, 'why, I've been to see Miss F—— in a new piece, and hang me if she hadn't the impertinence to try the Nisbett laugh. Well, pish! It was—ah! eh!—confound her impertinence!' And he rushed out of the room, fairly boiling with indignation.

"In some respects ours is an odd profession, and strange things happen occasionally at rehearsal. I was once trying to get an effect that wouldn't come—you know what I mean. A certain action was required, and try as I would, I couldn't hit upon the right thing. Macready, who was stage-managing, saw at once how I was placed, and came across to see if he could be of any assistance. He knew quite well what it was I wanted to effect, but couldn't feel his way to it any more than I could. We tried first one thing and then another, but nothing would do; and at last, in a towering rage, and losing all patience, I crumpled up the book and flung it on to the carpet. And, strangely enough, that action gave me the very clue I wanted! We both saw it in an instant, and Macready cried out: 'There you are; that's perfect.'

"Macready was a wonderful stage manager, as well as actor—thoroughly painstaking, and nothing was too much trouble to him. Nobody could have been more sympathetic. If he saw any member of the company in a difficulty—no matter whether it was leading man or super—he would always chime in, and try to lend a helping hand. In my day there were very few managers like that. Wigan was one, and so was Webster. But then, Macready was, all round, a great artist.

"Nothing in the wide world, I think, is so uncertain as theatrical speculation, I mean with regard to pieces; and, as a rule, those who take part in

the representation of a new play are very poor judges of its chances of success. In the green-room, at the reading of a piece, I have, on many occasions, known all concerned to be in raptures over their parts. As rehearsals proceeded, they have been perfectly sanguine as to the result; but, when the piece was actually produced, very little money has been found in it. Now, *The Prisoner of War* was a capital piece. The cast of *The Prisoner of War* was exceptionally strong, and the piece ought to have been a little mine of wealth. But it certainly was not, admirably as it was played. But then, I always think it never really had a fair chance. On the first night it was brought out alone, and, on the second, with *Acis and Galatea*, and so on, from time to time, there being this constant variation. In my judgment, when a piece has once made its mark, the bill should, if possible, be left alone, and the performance allowed to run merrily on. With all his talent, Macready sometimes made mistakes, and this chopping and changing about was one of them. And would you credit it?—on one occasion he insisted upon closing Drury Lane in the Cattle Show week.

"I think you have heard me say over and over again that Webster was one of the greatest melodramatic actors I ever saw. Of course, I have not forgotten Jim Wallack—who ever could who saw him? He was immense in *The Brigand* and *Don Cæsar*. But there was such versatility about Webster—such

natural genius. Besides, he was a very accomplished man. Nothing will ever come near him in *The Roused Lion*, which, by-the-bye, was serio-comedy. I was in the cast as an antiquated dame, and we had to dance together in a minuet and gavotte. Poor fellow, were he alive, I think, even at my age, I'd get up in the middle of the night to play that part.

"The best 'old woman' that I ever remember, was Mrs. Glover. What a Mrs. Malaprop! She was simply perfection, though, I must admit, Fanny Stirling ran her very hard.

"Mr. Keeley and I were the first to go to Windsor Castle to play before the Queen and Prince Albert, and the Court. When I say 'we,' I mean that we went with the company, which included Mr. and Mrs. Charles Kean, Wigan, and others. The piece performed was *The Merchant of Venice*. Mr. Kean was Shylock, Mrs. Kean, Portia, Alfred Wigan, Bassanio, I, Jessica, and Mr. Keeley, Launcelot Gobbo. We played other pieces down there on different occasions, including *The Loan of a Lover*. In thinking over days gone by, and the pleasure I have derived in the profession I still love so well, those trips to Windsor afford me many delightful memories.

"Though the temporary theatre fitted up there was small, the Court audiences were the very best in the world. The Queen and Prince Albert were always present, with the late Duchess of Kent. Upon the daïs in front of them sat the Prince of Wales and the Duke

of Edinburgh, who at that time were little boys in short frocks.

"The last time I appeared on the stage was two or three years ago, when I played for Toole's benefit. *Betsy Baker* was the piece, and, of course, I played my old part of Betsy, Mr. Toole enacting that originally taken by Mr. Keeley.

"An actor I have not mentioned, but who certainly was very great, was Robson. He had enormous power, and he almost used to make you cry in his burlesque. In one way he reminded me somehow of Garrick. Garrick was great in tragedy, and had a bit of comedy; Robson was great in comedy, and was almost equally strong in tragedy. In Talfourd's burlesque of *Shylock* he was very fine; and this, by-the-bye, reminds me that Mr. Keeley once played Shylock in earnest. I knew you'd laugh, but it's true. When I was first told what Robert was going to do, I flatly refused to believe it. They succeeded, however, in convincing me that such was the fact, and I then observed: 'On that night I shall shut myself up in my room.' It happened in this way. Chapman at that time was lessee of an East End theatre—I'm not sure if it was not The City of London—and he asked my husband to take the part, one night when they were all at Kilpack's. You remember Kilpack's, next door to Evans's, in Covent Garden? It's pulled down now. It was a cigar shop, and upstairs Robert and his professional friends used to meet together and play a rubber after the performance. It

was upon one of these occasions that he consented, at Chapman's request, to play Shylock.

"Joe Langford and a lot of Pa's Garrick friends, when they heard the news, determined to go to the theatre. They were fully prepared to be wonderfully amused; but a surprise awaited them. They went to scoff and they stayed—well, if not to pray, at any rate to appreciate; for it was anything but a failure, I can assure you.

"I have already told you of the last time that I appeared on the stage. But I have spoken in public since then, and this will explain why the children from the hospital presented me with that address upon my birthday. Some two years ago funds were required in order that a new wing might be added to the institution, and I spoke an address that contained an appeal for subscriptions. The result was very gratifying; and, indeed, I have been a rather successful beggar on behalf of this hospital, for, on a subsequent occasion, I spoke the same address to equally good purpose. It was at a farewell supper given, at a lady's house, to Toole, shortly before his departure for the Antipodes. Henry Irving, and Ellen Terry, and several others were present, and I could not resist their entreaties that I should speak the address; but I levied blackmail upon them, and raised quite a handsome subscription for my little friends at Great Ormond Street.

"I should like you to hear the address. I'll speak

it to you now," Mrs. Keeley added; and so she did, and in a way, and with an energy and power that I am not likely ever to forget.

As I was about to take my departure, she sat down at a little table and recommenced to work at a water-colour drawing upon which she had been engaged when I called. She is marvellously skilful with her brush, and her work is as good to-day as ever it was. Some two or three years ago, she borrowed one of Keeley Halswelle's landscapes to copy, and performed the task so well that, upon the original and the copy being placed before the artist himself, it was some minutes before he could say which was his own work.

The address to which I have referred above ran as follows:

You asked me here to come and see your Show—
I thought I'd done with Dolls some years ago!
I've given up the dolls of childhood's age,
And said good-bye to puppets of the stage!

I've done with skipping-ropes, and hoops, and toys,
With all the simple sport of girls and boys;
And as for hoops? I scarcely one have seen
Since those extensive days of crinoline!
Some toys remain! But disillusion comes
With sawdust stuffing and with broken drums!

And yet I count my warmest friends among
The bright, the merry, and the laughing young.
The children's laughter does me good; and I
Have made their grannies laugh in days gone by!
Their grandchildren repay me with their glee,
And make me feel Eighteen at Eighty-three.

So here I stand, the Children's Advocate,
To plead their cause in Eighteen Eighty-eight

We talk of children's happiness; but who
Can picture half the sorrow they go through?
Pain's hard for *us* to bear—'tis doubly so
For those poor tiny mites, who do not know
Why they should suffer, as they listless lie,
To dream and ponder of the reason why?
And so I thought just now. I chanced to stray
Within a Ward not very far away:
A well-warmed, homish room—so clean and light,
So cheerful, quiet, flower-deckt, and bright.

In one snug corner, in a cot, I note,
Propped up by pillows—in a scarlet coat—
A little girl, who ne'er for many a day
Has had a hope, or thought, or strength for play.
Though pain now slumbers, she is ill and weak—
Too feeble e'en to move, or laugh, or speak:
A pair of little wasted hands still keep
In close embrace a well-worn woolly sheep.
A sweet, sad smile half flickers o'er her face,
And in those big gray eyes you'll clearly trace
The sorrow that this little one has seen—
The weariness her little life has been!
Those eyes could better plead, in silent grief,
Than *I*, who for our Children hold a brief!

I plead for them, I beg you each to bring
A tiny feather for our big New Wing:
Let each one use his thought, his means, his might,
To aid us in our new successful flight!

I crave for them your sympathy untold,
Your love, your help, your pity—and your gold!
The last I'm bound to have, for, you must know,
I played *Jack Sheppard* many years ago!

I've not forgot his impudence, his dash—
His rare persuasive power when seeking cash!
Stand and deliver—sovereigns, fifties, fives—
We want *your* money, for we want *their* lives!

CHAPTER XIX.

THE LAST OF MY PRACTISING DAYS.

My recovery—A delightful experience—Staying at Hall Barn, Buckinghamshire—An unsuccessful attempt to practise—Sir James Paget's kindly rebuke—My last *cause célèbre*: the alleged *Punch* libel—"Mrs. Gore-Jenkins: a suburban political lady"—Cross-examination of Mrs. Gent-Davis—The author of the article—Burnand committed for trial—The Lord Mayor's message—A luncheon and its consequences.

As the readers of my earlier volumes will remember, the doctors from Germany who treated my throat, contracted to remain with me until I was either dead or out of danger. They took their departure at the expiration of a month, assuring me that, so far as bodily strength went, my recovery would be rapid; and they added that I need entertain very little fear of a recurrence of my disorder.

I remained at the private hospital, Fitzroy House, Fitzroy Square, for about five weeks more. On the first occasion of my going into the open air, I was driven by the best of friends to Hampstead Heath. I don't think I shall ever forget that day. It was

June, and the delight I experienced at seeing everything so bright and beautiful was immense. I did not leave the carriage all the time, not having sufficient strength to walk.

I could only speak in a whisper, and, as Sir James Paget and Semon had ordered me not to use my voice more than was absolutely necessary, I was in the habit, for some time to come, of writing down anything I wanted to say upon a slate, or a piece of paper, kept by my side for the purpose.

Absolute rest and quiet were essential for some months, and, when I was strong enough, my medical advisers directed me to go somewhere in the country, accompanied only by my servant, so that I should have little temptation to talk. As the London season was on, my good friends, Mr. and Mrs. Edward Lawson, were away from their beautiful country place, Hall Barn, in Buckinghamshire, and they placed it entirely at my disposal. Only a housekeeper had been left in charge, and thus there was little danger of my indulging in conversation. Being unable to bear the journey by train, I was driven the whole way by road.

Hall Barn was at one time the country seat of Waller, the poet. Hard by are the famous Burnham Beeches, and, indeed, the surrounding district is one of the loveliest spots in our picturesque country.

Day by day I wandered in the neighbouring woods and coverts; and every now and then, in the sylvan

solitude, I would try my voice, to see whether or no I was able to speak distinctly.

I remained in Buckinghamshire for about a month, and was visited there twice a week by Semon, who came to dress the wound and see how I was getting on.

Up to the time of my return to town, I had always thought that I should completely recover my voice, and be able to continue in the profession I had loved so well.

My powers of speech gradually improved, but the effort to talk continued to be attended with considerable pain. Eager to be at work again, I returned to the Temple in October, and resolved to try my voice in Court. The effort was not successful, and I afterwards had an interview with Sir James Paget as to my future, which I determined to leave entirely in his hands and Semon's.

The result of the interview was a terrible blow to me. I was told that if I attempted to make long speeches, and, in fact, to re-enter the lists as an advocate, I should soon break down, and very likely endanger my life. On hearing this, I could not help exclaiming, somewhat ungratefully, I am afraid :

"Why did you not tell me this before the operation ?"

The answer I received from Sir James was :

"We tried to save your life, and not your voice."

I admit I deserved this kindly rebuke.

It was not fated that I should be idle long. In the

month of November my old friend Balguy, one of the magistrates for Greenwich and Woolwich, died, and I was appointed to succeed him.

I continued to practise as well as I could from October to the time of my appointment to the Bench, and the last *cause célèbre* in which I was engaged as counsel was, oddly enough, one in which I appeared for my old friend, schoolfellow, and constant companion, Frank Burnand, the editor of *Punch*.

The case was heard at the Mansion House, before the Lord Mayor, Alderman (afterwards Sir Reginald) Hanson, on Saturday, December 4th. A summons was taken out against Francis Cowley Burnand for a libel alleged to have been published of and concerning Mrs. Gent-Davis, wife of Mr. Gent-Davis, the Conservative member of Parliament for Kennington. Mr. Duke appeared for the complainant, while I and Mr. Benjamin Webster represented the editor of *Punch*.

The article, which was published on November 13th, was headed as follows:

"STUDIES FROM MR. PUNCH'S STUDIO.

"II. MRS. GORE-JENKINS—A SUBURBAN POLITICAL LADY."

This Mrs. Gore-Jenkins was alleged to be intended for Mrs. Gent-Davis. The sketch was laid in "South Brixwood, a transpontine suburb," and this, it was suggested, meant South Brixton, a portion of the district represented by Mr. Gent-Davis.

Mrs. Jenkins's husband was described in the sketch

as a Conservative member of Parliament; and then followed these words: "As the prefix Gore has somewhat redeemed that gentleman's own patronymic from plebeian and almost comic insignificance, so the possession of such a wife has raised and rescued him from the ruck of opulent nonentities to which he naturally belonged. Mr. Jenkins was merely the dapper and rather characterless successor to the fortune of a very prosperous sauce manufacturer."

It was alleged that this description clearly pointed to the prosecutor, as the late Mr. Gent, having no male representative, willed his name, with his fortune, to his nephew, Mr. Davis. Thus it was clear, said the prosecution, that the article referred to that gentleman and no one else.

The alleged libel went on to say that an election petition had failed to expose the machinations of Mr. Gore-Jenkins; and, as a matter of fact, there had been a petition presented against Mr. Gent-Davis' return, and it had failed. It was said of Mrs. Gore-Jenkins in the article that she "conquered numbers of working men and particularly of working men's wives. How? Well, that is a point much disputed. Some say she stooped to conquer these—stooped very much indeed; stooped in a way that honesty could not approve, nor law—could it be invoked—condone. As in the interests of her husband she can be kind and most condescending, so, in the same interest, it is said that she can be unscrupulous and even cruel; and is it

likely that a lady so charming, so condescending, so benevolent, and so truly British, would dream of boycotting a poor deluded wretch of a Radical shoemaker, even for the shameful, nay, almost seditious, sin of not voting for her husband?"

That paragraph was pointed out by the counsel conducting the prosecution as being beyond doubt intended for the complainants; and my learned friend, in his opening, stated that he should be enabled to show that, so clearly were the libels understood to point to the Member for Kennington and his wife, that people in the constituency constantly alluded to them as "Mr. and Mrs. Gore-Jenkins."

At the first hearing of the case, after the examination of Mr. Gent-Davis, I stated to the Alderman that Mr. Burnand desired me to assure the Court that the Member for Kennington was not in the mind of the writer of the article at the time it was penned; and I added that my client also desired me to state that he took all responsibility for the publication.

The case was adjourned until the following day, when Mrs. Gent-Davis was called as a witness. Her cross-examination by me caused considerable merriment. It was as follows:

"Do you think the description of Mrs. Gore-Jenkins in *Punch* was really intended for you?"

"I do."

"Do you object to the personal description there given?"

"No, I don't object to that."

"Or to these words: 'The mind of a modern muse, and the mien of a Roman matron'?"

"No, not to that. Really, I have not thought much about it. That is not the libel I complain of, and, if it applies to me, I have no objection to it."

"Or to these words: 'Mrs. Gore-Jenkins is a power in South Brixwood, for which new suburban constituency her husband, thanks to her splendid agency and seductive charms, is Conservative member'?"

"No; I don't object to that at all."

"Then there occur these words: 'Mrs. Gore-Jenkins is what may, perhaps, be called a spacious personage.' Do you correspond to that description?"

"I doubt whether I may be called spacious."

"Then again: 'Her stately figure seems somehow to fill more space than even its opulent proportions entitle it to.' Do you recognise that?"

"Well, there may be different opinions as to that."

"'On the polling day she really appeared to be ubiquitous.' Is that right?"

"I did my best to pull my husband through, certainly, and I suppose the wives of other Conservative members did the same."

"'Mrs. Gore-Jenkins has been the inspirer of her husband's political ambition'?"

"I've no objection to that."

"'She goaded him on, and she pulled him through'?"

"Certainly. I attempted to do so."

"'To bow before Mrs. Gore-Jenkins is a delight'?"

"I've no objection to that."

"'To timidly touch her neatly gloved hand is tremulous joy'?"

"Or to that either."

"'"She is so affable," cry the men; "she is so nice," exclaim the women.' Do you object to that?"

"Certainly not."

"'Of course, Mrs. Gore-Jenkins is the presiding deity of the Primrose League'?"

"I am a Dame-President of the League, as are also a good many of the other wives of Conservative members."

"'Mrs. Gore-Jenkins smiled, and conquered while she smiled. She conquered the smart young sons of shopkeepers.' Is that true?"

"Well, I did wait upon numbers of the young shopmen, as other members' wives have done."

"Then come the words: 'She conquered numbers of working men, and particularly of working men's wives. How? Well, that is a disputed point. Some say she stooped to conquer them—stooped very much indeed; stooped in a way that honesty could not approve, nor law—could it be invoked—condone'?"

"I never stooped in any way."

"Well, then it can't be meant for you. Then there's something about the lady giving away blankets and soup-tickets?"

"That has been suggested during both elections."

"I suppose you know of a great many other Conservative members' wives who have done the same thing?"

"Undoubtedly."

"And you are still of opinion that the article was intended for you?"

"I've not a doubt about it."

"Even though other Conservative members' wives have done the same thing in almost every particular?"

"I still assert it was meant for me, and me alone."

It transpired, before the hearing was finished, that another personal friend of mine, Mr. Millikin, was the author of the article. He protested to me, not only that he had not intended any reference to Mr. and Mrs. Gent-Davis, but that he knew nothing about them.

The Lord Mayor intimated that the case must be settled by a jury, and that, as Mr. Burnand desired to take every responsibility, and as, in fact, he was the only person accused, he must be committed, on his own recognisances, to take his trial at the Central Criminal Court for publishing libel. My client was accordingly committed.

The end of this case was really most remarkable. The hearing concluded just before luncheon-time, and, as I was about to leave the Court, the Lord Mayor sent me the following message: "Don't you think all

the parties in the case had better come in and lunch with me?"

I conferred with the opposing counsel, with the result that we all—complainant, defendant, counsel, and solicitors—proceeded to partake of his lordship's hospitality in the Egyptian Chamber.

I had known Reginald Hanson from his boyhood. He is as good-natured a fellow as ever breathed, as well as a thorough *bon vivant*; and before the end of the luncheon, all parties in the case had shaken hands. It was arranged that, as a committal had actually taken place—the depositions having been forwarded to the Central Criminal Court—the indictment must be preferred; but it was agreed that, if Mr. Millikin wrote an assurance that Mr. and Mrs. Gent-Davis were not contemplated by him in any way at the time the article was written, no evidence should be offered.

The case came on at the Old Bailey in about a fortnight's time, when the course that had been suggested was adopted.

Most of my readers will be aware of what ultimately happened to the complainant.

CHAPTER XX.

THE DISTRESS AT GREENWICH.

Metropolitan police magistrates—The North and West districts—Greenwich and Woolwich—Mr. Traill—A period of exceptional distress—My poor-box and the claims upon it—I write to *The Times*—A correspondent's criticisms—My reply—Further testimony to the distress—A clergyman's indignation—Letter from the Rev. E. J. Beck—How the money was disposed of—The number of cases relieved.

I RECEIVED my appointment as one of the Metropolitan Police Magistrates from Mr. Matthews, the Home Secretary, in the month of December. After being, in the usual way, sworn in before a judge, I was at once directed to take my seat at Greenwich and Woolwich.

For the metropolis there are, in all, some twenty-four magistrates; and, at the present time, London is divided into two magisterial districts—North and West. The group of magistrates in each district act in union together.

Among the Courts in the West district are Bow Street, Marylebone, Westminster, Hammersmith, West London, Lambeth, and Wandsworth; and in the North

district, Worship Street, Thames, Greenwich and Woolwich, Clerkenwell, Southwark, and North London (formerly known as Dalston).

Most of the Courts have two magistrates attached to them. Exceptions are, however, to be found in the cases of North London and Wandsworth (each of which has only one), and Greenwich and Woolwich (which have two between them). The magistrates attached to the latter Courts have to pass from one to the other, sitting from ten till one at Greenwich, and from two till five at Woolwich. In this circumstance is probably to be found the reason why these appointments are less sought after than the others.

However, some distinguished men have sat at Greenwich and Woolwich—notably Mr. Traill (the father of the eminent journalist, and editor of *The Observer*), who died some twenty years ago. He resided at Blackheath, among his people, and to this day he is spoken of in the neighbourhood with gratitude and respect.

With the exception of the dwellers in the East End, the inhabitants of this locality—usually known as the "waterside district"—are the poorest and most wretched to be found in the metropolis. Here it was that I first came face to face with the misery, destitution, and patience of the poorer classes.

It happened that the close of 1886, and the early months of 1887, covered a period of exceptional distress in the district. The winter was a severe one, and the consequent misery was almost beyond description.

One of the various duties that devolve upon a magistrate is to place himself, on his arrival in Court, at the disposal of any one who desires to ask him a question, or who has a tale of sorrow and distress to unfold. As a rule, on arriving at your Court, you find from fifty to a hundred persons waiting to engage your attention. You are supposed to know everything, and you are expected to give advice, if not pecuniary assistance, to any one in need of it.

In a little while the doors of my Courts were besieged daily with eager crowds. There was stagnation in the building and iron trades, and many of the yards were closed. Thousands were out of work, and whole families were dying of starvation, and rotting with disease.

Each Police Court has its poor-box, but even in the best of times it is a matter of much difficulty and anxiety to adapt its contents to the calls that are made upon it. It was not long before I perceived that my box was being rapidly drained.

I was at my wits' end to know what to do. To stand quietly by and see, morning after morning, those heartrending scenes — men and women with gaunt cheeks and sunken eyes imploring my assistance—was impossible. I was a novice in such matters, and not yet particularly strong, and probably these circumstances assisted to make my position unbearable.

In a little while my poor-box would be entirely exhausted, and what was I to do then? A happy thought struck me. Why not appeal to the public?

I had always thought, and I think still, that funds for the alleviation of distress and misery can be better administered by the magistrate than by any one else. To begin with, there is no deduction of the money for expenses. Whatever comes to the poor-box is handed to the clerk, who keeps an account at the nearest bank, and draws out the money as it is required. Then again, who knows, or ought to know, the district and its inhabitants so well as the magistrate? He is aware of the particular streets where the greatest poverty exists; the several industries of the place are familiar to him; he can tell the provident from the improvident; and he is surrounded by officers who, in the discharge of their duties—the serving of School Board summonses, the execution of warrants, etc.—acquire an intimate knowledge of the poor in the division. Thus the magistrate not only has his own knowledge and experience to rely upon, but (which is often of far more account) that of his subordinates.

One bitterly cold morning — the snow had, at intervals, been falling for nearly three days and three nights—I determined to write to *The Times*. Accordingly, during the hour for luncheon—for which, in truth, I had little heart — I penned the following letter:

"DISTRESS IN GREENWICH.

"(*To the Editor of 'The Times.'*)

"SIR,—I venture to appeal through your columns to the charitable for aid for the suffering poor of this

district. I have in my division—the poorest part of the metropolis—over 600,000 souls. It occurred to me some time ago that the easiest, quickest, and most economical way to relieve the poor in the neighbourhood was through this Court. The lower orders come to the presiding magistrate in all their troubles, and pour out their sorrows to him when they will not do so to anybody else. The Court has warrant officers, etc., who can make inquiries at once as to the respectability of the applicants, and, as this costs nothing, the money given goes straight, without any deduction for expenses, and without delay, to those seeking relief. *Bis dat qui cito dat.* I find my notion most successful. I sit here three days a week, and have relieved some hundreds with temporary assistance (a few shillings and a coal ticket). To-day, I regret to say, I have had to turn away over 150 people, for want of means, my available funds being exhausted. There are many who are blessed with a superabundance of the good things of this life, and to their notice I venture to commend this letter.

"I have the honour to be,

"Your obedient servant,

"MONTAGU WILLIAMS.

"Police Court, Greenwich, *January* 17*th*."

My appeal, as I shall show by-and-by, was crowned with a success that exceeded my fondest expectations.

My efforts, however, were not fated to go unchallenged by criticism, and on January 19th the following letter appeared in the columns of the journal in which I had made my appeal:

"RELIEF AT THE POLICE COURTS.

"(*To the Editor of 'The Times.'*)

"SIR,—Mr. Montagu William offers, as a police magistrate with a district of 600,000 people, to relieve all the needy among that population if he is provided by the benevolent with adequate funds. Those who have been accustomed to the work of relief must be amused at such courage. One of the difficulties of that work is to deal fairly with all applicants, seeing that equal justice is done to all. Another is to verify, by independent evidence, any statement made by or on behalf of an applicant. Mr. Montagu Williams undertakes to make all needful inquiries by means of the officers of his Court. If the magistrate and the officers of such a Court as that of Greenwich have leisure for this immense work, it might be well that the Home Secretary should consider whether there is not an opening for a considerable reduction of the public expenditure.

"The poor-box at the Police Courts was intended to enable the magistrate to give help in cases which came before him as a magistrate. To make the Police Court a relief agency is to violate the sound rule that one

public department shall not take upon itself the work expressly assigned to another.

"Your obedient servant,

"D."

With regard to the observation about the officers of the Court, I may mention that I had applied to Scotland Yard for leave to use some of the men, and had been told that permission could not be granted. There was still, however, my warrant officers and my clerks available; and what I should have done without them I really do not know. Their heart was in the work, and they did not spare themselves.

I did not allow "D.'s" letter to go unanswered. On the day on which it appeared, I wrote as follows to *The Times*:

"DISTRESS IN GREENWICH.

"(*To the Editor of 'The Times.'*)

"SIR,—In answer to the letter of your anonymous correspondent, 'D.,' I beg to state, for his information, that I have fully realised the difficulties of the task I have undertaken (I have been accustomed to deal with them all my life), and that the days that I devote to the unemployed are the three upon which I am not sitting as a magistrate, and are entirely at my own disposal.

"I am, Sir,

"Your obedient servant,

"MONTAGU WILLIAMS.

"9, Aldford Street, Park Lane, W.
"*January* 19*th*."

On January 25th the following paragraph appeared in *The Times*:

"The publicity which has been given in *The Times* to the distress existing in Greenwich and Deptford has resulted in large sums of money being sent by benevolent persons to the several charitable agencies at work in the two boroughs. In response to the appeal made by Mr. Montagu Williams, a sum of about £450 has been realised by the Greenwich Police Court Poor Box Unemployed Fund; while an influential relief committee, with Mr. Evelyn, M.P., and the Rev. Dr. Cundy at the head, has been established in Deptford, and has opened offices in Nile Street, New Town. The Deptford Philanthropic Society is also working hard to cope with the needs of the district; while the Greenwich Society for the Relief of Distress, and the local branches of the Charity Organisation Society, together with other kindred institutions, are assisting with such good results that the effects of the lack of employment promise soon to pass away. The great works of Messrs. John Penn and Son, the engineers, at Greenwich, have just been reopened, after being almost at a standstill for a considerable period; and there are other signs manifest of a revival of trade in the district. It is hoped that the Metropolitan Board will shortly put in hand the work for the erection of the authorised Thames Tunnel at Greenwich to Blackwall, and will also deal with a large vacant plot of land at East Greenwich, under the Artisans' Dwellings Act. These works would find em-

ployment for hundreds of hands, and the local authorities have determined to petition the Board to commence them at once. The London, Chatham, and Dover Railway Company's extension works at Greenwich, now being carried out by Messrs. Lucas and Aird, provide labour for a large number of men, and altogether the outlook of the working classes of Greenwich and Deptford is decidedly encouraging."

During the next few weeks much further testimony was borne in the pages of *The Times* to the destitution and misery that prevailed in my division.

At an early stage of my efforts to combat the terrible want, it became evident to me that I must adopt some means for distinguishing between cases that were deserving, and cases that were not. I had recourse to the usual expedient of insisting that each applicant should produce credentials—that is to say, a letter from a minister of religion, or other responsible person, testifying to the genuine character of the application.

Herein originated a fruitful source of grievance; and I well remember one letter that I received—couched in terms that were more emphatic than polite—from a clergyman who took umbrage at my conduct. What did I mean, he asked indignantly, by sending, morning after morning, crowds of people to block up his doorway?

I am afraid my correspondent must have been very much inconvenienced, and I am sorry for it, because he

was a good-hearted fellow, and, before many weeks had gone by, one of the loudest in his approval of what had been done.

Of the many letters of thanks I received at the time, the following will serve as an example :

"The Rectory, Rotherhithe, S.E.,
"*March* 12*th*, 1888.

"My dear Sir,

"I must write a few lines to offer you, on behalf of my many poor people, as well as for myself, our grateful thanks for the very acceptable relief which you have lately bestowed upon them.

"Whatever political economists may say, we who pass our lives in the poor quarters of this great City have to witness, winter by winter, a sad amount of inevitable suffering, caused by depression in trade and other causes of slackness of work.

"These poor men, who always live from hand to mouth, have no means of following the course of prosperity, from the Thames to the Clyde, or elsewhere. They remain on where they have once found work, in a hopeless kind of way, and the great remedy of emigration is supposed not to be open to them, as they are not agricultural labourers nor skilled artisans. Nor does the Government lift a finger to help them to get out of this overpopulated island.

"But I must not get into a disquisition, when I only desired to thank you very heartily for your

timely aid, which has given very real assistance; and these poor fellows have expressed sincere gratitude.

"My own Parochial Relief Fund is very small, and quite inadequate for anything beyond the relief of the sick and aged.

"I am,

"Yours very truly,

"EDWARD JOSSELYN BECK.

"MONTAGU WILLIAMS, ESQ., Q.C."

Up to the 27th of February, the sum received as the result of the appeal in *The Times* was £1,519 12*s.* 1*d.* The particulars of the disbursements were as follows:

	£	*s.*	*d.*
Coals	325	0	0
Soup (bags and tickets)	66	10	6
Donations to Clergy and subscriptions to Societies	29	10	0
Sums paid to applicants at the Greenwich Court .	1,051	14	6
Sums paid to applicants at the Woolwich Court .	99	10	0
Total .	£1,572	5	0

I should explain that the difference between this sum and the amount mentioned above as having been received, was derived from current donations to the poor-box. I should mention further that several hundred extra bags of soup were presented to me by Messrs. L. and A. de Rothschild, and were distributed during the period in question.

The number of cases relieved was, in Greenwich,

4,274, and, in Woolwich, 275, showing thus a total of 4,549.

At these Courts the value of coal annually distributed is about £100, while the moneys paid away to applicants every year, varies from £100 to £150.

CHAPTER XXI.

DESTITUTION, DISEASE, AND DEATH.

The donations to my fund—Messrs. Rothschild's princely generosity—Starving women and half-naked children—Lord Macaulay's forcible observations—Rooms oozing with filth—Mill Lane, Deptford—A pathetic case—My assistance comes too late—One of the "lower orders"—The man who shared his only shilling—Sexton's Court, Lamb Lane, and York Street—Representations of the medical officer—The stolen chair: a harrowing story—Did starvation excuse the crime?

I WAS very much struck with the number of small donations to my fund. There were many sums of ten and five shillings, and I even received postal orders for single shillings. In almost every case the donor explained that it was the want of means alone that prevented him sending a larger contribution. I received donations from every part of England, and some came from Scotland. Among the donations I received was a cheque for £20.

It was often my practice, when I had finished at Woolwich, to return to Greenwich, and remain there, distributing tickets and administering other relief, till late in the evening. One night, on reaching home

very fatigued, after prolonging my day's work in this manner, I was informed by my servant that a gentleman wished to see me on important business connected with my Court. The card placed in my hand bore a name which I at once recognised as that of the secretary to the Messrs. Rothschild. This was the firm from whom I had received the £20; and so I was at a loss to understand the object of this gentleman's visit. Upon being shown into my room, he explained that he had called from Messrs. Rothschild in reference to the distress in Greenwich. I replied:

"Why, they have already subscribed most handsomely to my fund, and I have written to return them my most grateful thanks;" for I made it a rule, in every case where the donation was not forwarded anonymously, to send a personal letter of thanks, besides acknowledging the receipt of the money in *The Times*.

"Oh," said my visitor, "my business is of more importance than that donation. I am the bearer of a very large cheque for you, which is sent in the hope that it may be of assistance in the charitable work you have undertaken. You will be surprised, I dare say, at the amount, for it is a large one."

I remarked that I had lived too long to be surprised at anything.

Taking an envelope from his pocket, my visitor then handed me a cheque for £480, making, with the £20 already received, a total donation from the firm of £500.

"It is the Messrs. Rothschild's wish," he said, "that, if you acknowledge this sum in *The Times*, you will describe it as a gift from two friends.

These gentlemen evidently belong to the small class who do good by stealth, and blush to find it fame. As, however, it is a long time since the occurrence, I do not think I am doing wrong in giving this publicity to their kind generosity.

It would be impossible for me to describe the harrowing scenes that I witnessed during the peregrinations I made in the district, for the purpose of visiting the destitute and inquiring into their condition. In the courts and alleys I found starving men and women, half-naked children, and rooms entirely without furniture. Not only was starvation doing its terrible work, but small-pox, typhoid, and many other disorders were prostrating family after family.

Upon making inquiries, I found that no living soul had been near many of the houses—no clergyman, no doctor, no relieving officer. I do not wish, however, to lay blame on any shoulders where possibly no blame is due. The population of Deptford, Rotherhithe, and the neighbouring districts is so large that it would be utterly impossible for the few clergymen stationed there to visit all the homes. The doctors would very properly say that they could not go where they were not sent for, and the relieving officers, sticking to official routine, might also plead that the application should be made to them. Still, there was the fact—no one hand

had been held out to help the poor creatures. They had been left to starve and die alone.

Macaulay says: "Higher than pecuniary interests are at stake. It concerns the commonwealth that the great body of the people should not live in a way which makes life wretched and short, which enfeebles the body and pollutes the mind. If, by living in houses which resemble hog-sties, a great number of our countrymen have contracted the tastes of hogs, if they have become so familiar with filth and stench and contagion that they burrow without reluctance in holes which would turn the stomach of any man of cleanly habits, that is only an additional proof that we have too long neglected our duties, and an additional reason for our performing them."

I could not help thinking of these words. My experience of the way in which even the industrial classes were living in this neighbourhood was certainly most astounding. I had never seen anything of the kind before, for this was my first absolute contact with the miseries of my poorer brethren. Whole families lived in one room—husband and wife, little children, and growing boys and girls. They ate and drank together, went to bed together, and washed and dressed together. It was the same in summer and winter—in sickness and in health.

Under the windows of nearly every house were heaps of filthy garbage, which the people trod into their very rooms. Most of these rooms were but six

feet wide by nine feet long. The furniture seldom consisted of more than a broken bedstead, a wash-hand stand (which also served for a table), and a chair—generally without a seat. But this is the best side of the picture. The majority of the rooms had no furniture at all, not even a bedstead. There would be an old sack in the corner, and upon that the whole family, consisting sometimes of six, seven, and even eight persons, would lie at night.

One of the very worst places in Deptford was Mill Lane. There were few respectable persons living there; it was peopled mainly by thieves, prostitutes, vagrants, beggars, and tramps of every description. There were a great many Irish there.

In one of the houses, in a room totally destitute of furniture, I found a woman and five children. The poor creature's face was in itself an evidence that she had no share in the crime which made the place notorious. She was in the last stage of consumption, and her whole condition was most deplorable. Her husband, a labourer in Deptford Market, was at the time of my visit in the workhouse, suffering from a severe attack of sciatica. Her children, none of whom wore more than one garment, had hungry eyes, and were pitiable to behold.

On my questioning her, the woman told me that she had been able to obtain a little food for her children by hawking things in the street, but that she found herself unable to get the money to pay her rent.

When I asked why she had not gone with her family into the union, I saw the old sullen look. No; she would rather "struggle on." Struggle on! Good God, with what hope! I next asked her why she had not applied at my Court for help. She replied that she had proposed to do so on the morrow, if she could manage to drag her wasted limbs so far.

Having given her immediate assistance with coal, soup-tickets, and money, I took my departure, promising to return in a few days; and, on my way back, I called in upon a doctor who was assisting me in my work, and made him promise to give the case his immediate attention.

I kept my word, and called again at the house in a few days, but only to find that my assistance had come too late. The woman had died two days after my first visit, and had been buried that morning. The husband, who I heard was worse, was still confined in the infirmary, and, so far as I could gather, was ignorant of his wife's death. I asked what had become of the children, and was told that a neighbour had taken them away. Learning this neighbour's address, which was in an adjoining street, I hastened thither.

Upon arriving at the house, I was greatly moved by what I heard and saw. The man and his wife (God help them!) were living much in the same way as the poor woman had lived whose body had that morning been placed underground. There was no furniture in the room, and, although it was bitterly cold, no fire. They

themselves had four children, the poor little creatures having scarcely a rag to their backs; and upon my asking the unfortunate couple how, in their exceedingly pitiable state, they could think of assuming such an extra burden as the little ones of their dead neighbour, the man answered:

"Poor little things, they can share what we've got. It's very little, but they're welcome to it. Maybe it will be our turn next, and, if so, we can all starve together."

I confess I found it rather difficult to speak, and I longed to take that fellow by the hand. However, what was more to the purpose, I dropped something into it, telling him to call at my Court on the following day. He did so, and I gave them all relief; and when I quitted Greenwich, some months afterwards, it afforded me the greatest satisfaction to know that I was leaving my tender-hearted friend in permanent work, and his family in comparative happiness and prosperity. And this was a member of the "lower orders," as we term them! Where could one find such real charity, and such nobility of character, among the upper classes?

This was by no means an isolated case. I frequently had evidence before me of noble conduct of this character. It seemed, indeed, that the greater the destitution and misery of one of these unfortunate persons, the greater his or her consideration for the destitution and misery of those around.

In a house in Rotherhithe, I found two large families occupying rooms on the same floor and opposite to one another. All the members of one of the families—father, mother, and five children—were stricken down by typhoid. Their room was entirely destitute of furniture, and, as you trod the floor, sewage oozed through. The larger family in the opposite room also lived in this terrible condition, but as yet the fever had not appeared among its members. The father of this family was out of work, but one day he had the rare good fortune to earn a shilling at a stone-yard. What followed is scarcely credible, but I am speaking of what came within my own positive knowledge. On arriving home he entered the opposite room, and shared that shilling with his helpless neighbours.

In this same house, I visited a back room on the ground-floor. It was a room that contained less than eight hundred cubic feet; and here a man, his wife, and his three children—one six years old, one seven, and one eight—lived and slept. The room was filthy, and the atmosphere disgusting.

The wash-house, on the same floor, was inhabited by another entire family—man, wife, and three children, the last-named being aged respectively five, six, and ten years. This apartment was also most disgusting, and two of the children were down with the small-pox.

I ascertained that the sanitary inspector had commenced proceedings against the owner of this house exactly fourteen months before the date of my visit.

Notices had been served, and the usual reports had been made, but nothing had been done to remedy the evil.

This house was in Sexton's Court, and there were several others in this thoroughfare in the same condition. Lamb Lane and York Street contained buildings of a precisely similar character. The medical officer had declared all these tenements to be "dangerous to health and utterly unfit for human habitation." This was the official description of the existing state of things, and words cannot go much further. But what action had the authorities taken in consequence of the representations of their officer? Absolutely none.

I could fill page after page with descriptions of houses in this neighbourhood—houses which, in the literal sense of the words, were, and still continue to be, a disgrace to civilisation.

A rather curious case came before me at my Court, and it shows how careful one should be to thoroughly sift every charge that is made. A tall and respectable-looking man, with a face stamped by trouble and misfortune, was accused of stealing a chair. Evidence was given that some chairs, and other articles of furniture, were standing outside a second-hand upholsterer's in Church Street, Deptford, a busy and much-frequented thoroughfare; that a man was seen by a policeman to go up to the shop, take up a chair, and quietly walk away with it; and that that man was

undoubtedly the prisoner in the dock. Upon my asking him if he had anything to say, he simply shook his head. I was about to sentence him, when the police inspector of the district, a most excellent and trustworthy officer, jumped up and said :

"I should like to make a few remarks about this case, if your worship will allow me. This is a most respectable and, when he can obtain employment, a most hard-working man. Since he has been in custody this morning, in consequence of what he said to me, and knowing from his antecedents that it would be unlikely he was deceiving me, I have been to the room where he and his family are living. I never saw anything much more terrible, even in the present distress, than that room. I found that his family consisted of eight. There were two little children lying dead in the corner of the room, and the woman was lying on the floor with her surviving children around her. None of them had tasted food for days. The two children had died of starvation, and the others appeared to be rapidly going the same way. I went out and procured what temporary assistance I could for them. It is quite clear to me, sir, that that man had borne his troubles as long as he could. He had simply gone out and taken the first thing that came to his hand, for the purpose of buying food, being unable any longer to bear the sight of his little ones starving around him."

Well, of course, if you are to follow the strict letter

of the law, starvation is no excuse for crime; and some might consider that, under any circumstances, the man ought to have been punished, as, otherwise, a bad example would be set. Such, however, was not my view. I thanked the officer and helped the man; and the sequel showed that I was right. He, too, when I left Greenwich, was in permanent employment. The family were in a respectable and cleanly room, and, apparently, were both healthy and happy. The man had set his face against the past, and I should say that, in the whole district, there was no one less feloniously disposed.

CHAPTER XXII.

WOOLWICH PLAGUE-SPOTS.

A visit from one of my schoolfellows—The old ladies he sent me—Prosperous Woolwich—Cannon Row and its inhabitants—Bad women and worse men—Rope Yard Rails—The colony of gin palaces—A three months' return of charges—A letter from the present magistrate—The Rev. J. W. Horsley's appeal—Vicious profits for virtuous thrift—Will the local authorities take action?

My district, besides including Greenwich, Woolwich, Deptford, and Rotherhithe, extended over the whole of that part of Kent which is within the metropolitan area. Therefore, as might be expected, many applications for a share of my fund came from Plumstead and the surrounding locality, known as the Marshes.

One afternoon I was delighted at receiving a visit from my old Eton schoolfellow, the Rev. John Bent, who was the rector of one of the parishes in this district. Who of my time at the old school will ever forget honest John Bent? Who does not remember that sturdy figure taking the wall at the football matches between Collegers and Oppidans, Punch Goodall backing up as second man, and Arthur Coleridge as long

behind? I had not seen Bent since those schooldays, but I found he was not a bit changed. His face was as merry as ever, and it glowed with delight as we shook hands.

Bent told me that he had arranged for a number of old ladies to apply to me for help, in the shape of coals and soup; and a funny, antiquated lot they proved to be! They were nearly all of them Irish, and I am afraid they must have got somewhat on the blind side of his reverence, upon whose head they seemed never tired of showering blessings and good wishes.

I had little trouble with the poor of Woolwich. On visiting their homes I found that very few of them were in actual need.

Of course, the Arsenal and the Dockyard furnish work for a great many persons, and the town itself is a comparatively flourishing one. The slum population is remarkably small, though the place is very far from being without a fair share of the criminal classes. Any number of thieves may be found there, as well as many receivers of stolen property, and "marine store dealers" who do not refuse to do business in goods marked with the broad arrow.

The worst place in the district is Cannon Row, a resort of wretched women, bullies, and criminals of the vilest description. Most of the men there live on the proceeds of robbery, outrage, and even worse. Over and over again I have heard policemen declare that

they dare not venture down this thoroughfare singly; and I firmly believe that murder might occur in Cannon Row, and the remains be disposed of, without any one outside being any the wiser. The miserable fallen women are bad enough, but they are by no means the worst inmates of the Row. Day after day, and night after night, unwary or drunken persons are entrapped, assaulted, and robbed there by ruffians lost to all sense of manhood and shame.

How it is that the Local Board has allowed this Alsatia to exist so long, will always remain a mystery to me.

Rope Yard Rails is another very black spot. The rooms here, as in Cannon Row, are nearly all let singly, the weekly rents being from four to six shillings. Gin palaces, with their mahogany bars and glittering lights, are to be found in every direction, especially towards Beresford Square; and in these places gather the vicious and the criminal, who would not hesitate, were it possible, to pawn their souls for liquor.

I paid more than one visit to these thoroughfares, and I doubt whether, even in the East End of London, or the slums of Glasgow, Paris, Marseilles, Constantinople, or New York, any place could be found to equal these hells upon earth. And to think that they are within a stone's throw of the Royal Arsenal!

In a three months' return of charges from Cannon Row, I find ten felonies, twelve assaults, and sixty-three "drunk and disorderlies." To these, of course, must

be added an unknown, though anything but insignificant, quantity of offences that did not come within the cognisance of the police.

In the spring of last year (1890), the present presiding magistrate wrote to the Local Board of Health as follows :

"A moderate estimate of the crime existing in six months from the dozen or so of houses in Cannon Row would be quite a hundred ; a record that would not be approached by any other part in the whole metropolitan area ; and, besides the people who are charged, I can also testify that the police have had frequent complaints from persons who either do not like to come forward, or fail to identify their assailants."

The Rev. J. W. Horsley, who for some years filled the office of Chaplain of Her Majesty's prison at Clerkenwell, but who is now rector of the district in which Cannon Row is situated, writing to the same authority at about the same time, said :

"Most of the offences brought to my notice have been committed, not by the lodgers in, but by the responsible tenants of, these dens of infamy, and the worst crimes are not perpetrated by the poor fallen girls—many of whom are as quiet and well-behaved as their trade allows them to be—but by the still more fallen men, who live on them as parasites and bullies.

"I do not think the scandal is decreased by the fact that several of the worst houses of all are owned by a well-known building society in Woolwich, which

gains from them a vicious profit with which to reward virtuous thrift.

"Bitter complaints I have already brought to your notice of respectable workmen whose houses in Rope Yard Rails back on Cannon Row, and are at times rendered almost uninhabitable from the sights and sounds they are bound to endure. This applies with special force to your own almshouses, which are in the thick of the nuisance.

"The day has long passed in the rest of London when it was thought desirable or inevitable that such rookeries should be ignored, or allowed to enjoy vested interests in evil. Vestries, and analogous bodies existing for the common weal of the district, have large powers, and have not hesitated to use them against vice, even when there was not the concomitant crime that I now bring especially to your notice. Dispersion may do little to abate vice, but it has been effectual against crime. Can your collective wisdom devise no remedy? Will you profess impotence or disinclination to act?

"I am loth to imagine that you neither can nor will do anything. This would be indeed to demonstrate that local government is a failure, and that nuisances and black spots can only be palliated or remedied by the action of private persons. I have some power as an individual citizen, and some responsibility as vicar of the parish, but I venture to think that both your powers and your responsibilities are greater than mine. From you, through the London

County Council, might come the clearing of the whole unsanitary, obnoxious area, and the erection of industrial dwellings on the site thereof.

"I trust that the matter will receive your prompt, careful, and efficacious attention; and if you require two ratepayers to set you legally in motion, I undertake that they shall be forthcoming."

Accompanying the Rev. J. W. Horsley's letter was the following:

"Sir,

"As patron of the benefice of Holy Trinity, Chairman of the Board of Guardians, and Chairman of the Woolwich Branch of the National Vigilance Society, I most fully endorse this most righteous appeal.

"I am, Sir, yours truly,

"Samuel Gilbert Scott,

"Rector of Woolwich."

During my service as metropolitan magistrate in the district, namely, in the latter part of 1886 and the beginning of 1887, I again and again called attention to this nest of infamy. The local authorities, however, did not lift a finger to mend matters.

Well, the above letters were sent to the Woolwich Local Board of Health in the spring of last year, and I cannot help wondering what will be the state of things in Cannon Row in the spring of 1900.

CHAPTER XXIII.

CASES AT GREENWICH.

The charge against Sabina Tilly—Her situation in the Daws Road —The visit to Brighton—Making purchases at the baby-linen shop—Birth of the twins—Sabina's parcels and boxes—The railway journey to London—How the porter's suspicions were aroused—I commit the prisoner for trial—The Sheriffs' Fund —A wealthy lady's kindness—The proceedings commenced *de novo*—Mr. Gill's eloquent defence—A touching scene — The countryman and his newly purchased horse—My casual observation and the newspaper correspondence it provoked—Blame and praise.

THE work of the magistrate at Greenwich and Woolwich is very monotonous. He is principally occupied with charges of assault and drunkenness and with crimes *ejusdem generis*. During the few months that I filled the office, only a single charge of strong interest came before me, namely, that of Sabina Tilly; and this one, as I shall presently show, ought never to have been brought to the Court at all.

It was a very painful case, and was rendered all the more so from the fact that, after the preliminary hearing before me, which resulted in a committal, the

unfortunate woman was taken down to Brighton, where the proceedings were commenced *de novo*.

Sabina Tilly was charged with the wilful murder of her two children; and the story was a remarkable one.

Sabina, a good-looking girl of nineteen, came from Somersetshire. Her father was a pensioned soldier, who had served his country for over twenty years, and been wounded in the Crimea. The young girl had gone into service, and, in January, 1888, was servant to Mrs. Perkins, who kept a coffee-house at 5, Salisbury Terrace, Daws Road.

Upon its being noticed that Sabina was *enceinte*, arrangements were made for her to leave, she expressing her intention to go to her home in Somersetshire; and, on the 9th of January, after receiving her wages, she left the house, taking with her her two boxes and a basket.

The Perkinses saw nothing more of her until the 5th of March, when she returned, saying that her child was dead, and that she should like to be taken back. It was accordingly arranged that she should re-enter the service on the following Thursday.

It transpired that, on leaving Salisbury Terrace on the 9th of January, Sabina, instead of proceeding home, went down to Brighton, where she took lodgings at Mrs. Virgo's, in Russell Street. Explaining that she proposed to go to the Black Rock Convalescent Home, she soon quitted this house, leaving her luggage behind her, by permission. The evidence showed that she

proceeded to a baby-linen shop, and there made such purchases as would be required by a person about to give birth to a child. From the baby-linen shop she went, not to the convalescent home, but to the workhouse, where, on the 4th of February, she was confined of twins. The children were healthy, but the mother made a slow recovery.

The weather was very severe, but it appeared that Sabina Tilly showed considerable anxiety to leave the workhouse. Having clothes for only one child, she wrote to the people who kept the baby-linen shop, asking for the necessary additional linen, and for a shawl, stating that she would pay for the things when she came out.

On Friday, March 2nd, having received the clothes, she left the workhouse, taking both the children with her. Evidence was given to show that, at this time, the health of the babies was good. Evidence was also adduced to the effect that, when she left the institution, she had seven shillings in her possession. She called at the baby-linen shop, and left one of the children with the proprietor, saying that she would call for it later on, after giving a friend the other one to mind. It was shown that the child she took away with her was wrapped in a large shawl.

At five o'clock that evening Sabina arrived at Mrs. Virgo's with a bundle. She asked to be allowed to go to her boxes, and permission was at once given her to do so. The servant of the house accompanied her upstairs,

and, after seeing her cut the string of the basket, came away. Mrs. Virgo herself entered the room a few minutes later, and found the accused stooping over the basket, the lid of which she promptly closed on finding she was observed. She explained that she was looking for a shawl and a skirt, which she proposed to give to a friend who was leaving by the six o'clock train.

Having made arrangements to sleep there that night, she left the house at a quarter to six, professing her intention to proceed to the railway station, to take the shawl and skirt to her friend. As a matter of fact, she went straight to the baby-linen shop, whence, after a somewhat lengthened visit, she took her departure, carrying away the child she had left there early in the day. The name of this child was Edith Mary, the name of the other being Daisy Eliza.

Sabina arrived at Mrs. Virgo's at twenty minutes to ten. She again carried a bundle, round which was a strap. After leaving it for a few minutes on a chair, she took it upstairs to the room which contained her boxes.

On the following day Mrs. Virgo lent the accused enough money to pay her fare to London, and she took her departure with her luggage.

A railway official gave evidence as to what took place upon the arrival of the Brighton train at New Cross. The prisoner alighted, and expressed a wish to leave her luggage in the cloak-room. It transpired, however, that she had no money to pay the necessary fees, and she therefore adopted the only alternative plan

that offered, and left the boxes and basket in charge of a porter. It appeared that this official deposited them in a railway carriage, and that attention was subsequently drawn to them upon its being noticed that they emitted a noxious smell. The boxes were opened, and in one of them were found the dead bodies of the two children that had been born in the Brighton workhouse. Both bodies lay with the faces upwards, and one was covered with red flannel.

Meanwhile Sabina had made her way to Mrs. Perkins, and, as has been already stated, arrangements were made for her to re-enter service there. On subsequently returning to the railway station, to claim her luggage, she was detained and handed over to the police.

As I have said, the case came before me at Greenwich. The Solicitor to the Treasury appeared to prosecute. It at once occurred to me that the supposed crime had not been perpetrated within my jurisdiction, for the evidence clearly showed that the children had ceased to exist before the train left Brighton. I pointed this out to the advocate, but he assured me that the point had been fully considered by the authorities; and thus I had no alternative but to proceed with the hearing. It occupied two days, or at least such portions of the two days as I had at my disposal at this Court; and I finally committed the girl to take her trial, on the two charges of murder, at the next sessions of the Central Criminal Court.

I do not think I ever saw any one suffer more acutely than this poor creature did during the time that she was before me. She was in a semi-hysterical state all the while, and I confess I was very sorry for her. After committing her, I wrote a letter to the governor of the gaol, calling his attention to the prisoner's weak state of health; and another to my old friend and client, Tom Beard, the solicitor, who was then Under Sheriff.

There is a fund at the Old Bailey called the "Sheriffs' Fund," which provides the means of obtaining counsel and other assistance for prisoners having no means of their own. The fund applies, of course, chiefly to cases of murder, and more particularly to cases like the one under consideration. It was with a view to the money being made available for Sabina Tilly that I wrote to my old friend. I knew the prisoner could not be in better hands, as he is one of the most kind-hearted of men.

But I was not the only one who felt sympathy with the accused. I received several letters from persons who, having read the report of the proceedings, wished to know if they could be of any assistance to the unfortunate girl. I may specially mention one communication I received from an old friend—a lady of very considerable fortune — who resided principally at Teddington, and whom I had known as a girl in my early married days. She stated her willingness to pay for Sabina's defence, and promised to provide a home for her in the event of her being acquitted.

When the case came on at the next sessions of the Central Criminal Court, which occurred in a week or two, the learned Judge, Mr. Justice Hawkins, after perusing the depositions, came to the same conclusion that I had come to, namely, that the crime, if committed at all, was not committed within his jurisdiction. He ordered the girl to be taken to Sussex, and brought before the stipendiary there, so that a fresh committal might take place to the Lewes Assizes.

This course was adopted, and in August (the poor girl having been in prison since the 6th of March) the case was tried before Mr. Baron Pollock. The people of Brighton had got up a public subscription on her behalf; and she was most ably and eloquently defended by an old junior of mine, Mr. Charles Gill. He was not one of my pupils, but — which almost amounted to the same thing — he studied in the chambers of my friend Douglas Straight, and held many a brief for both of us. He is now Recorder of Chichester, one of the counsel to the Treasury for London, and a leader at the Central Criminal Court.

The defence he set up in this case was that the woman, weakened in body and mind by what she had gone through, had taken the children out in weather that was far too severe for them to bear; that they, being insufficiently fed with milk, had died from congestion of the lungs; and that the mother, in her agony, and finding herself without friends,

had placed the bodies in the box, and taken them up to London with the intention of disposing of them how she could. The jury adopted this view —which was most ingeniously put before them—and acquitted the prisoner.

I had a conversation with my learned friend afterwards, and the description he gave me of what took place subsequent to the verdict was most touching.

As Sabina was led from the dock she appeared scarcely conscious of what had occurred. She did not speak, seeming, indeed, to have temporarily lost the power of utterance. She walked like one dazed and half stupefied. In the cells she became hysterical and almost unconscious, trembling from head to foot. Her mother and two sisters were waiting for her in the rear of the Court, and when the doors were flung open, the liberated girl, uttering a cry of happiness and the word "Mother!" rushed into the arms of her aged parent. Mother and child clung to each other in passionate affection, the former crying, "Bina! Bina!" and weeping as though her heart would break.

I had been in communication with my kind friend at Teddington during the time the girl was in incarceration, and all arrangements had been made with a view to her advantage if she were acquitted.

Sabina Tilly is now provided for—that is to say, a chance has been given her of leading a new and a happier life.

I was very much amused at the way I raised the ire of certain persons by a chance remark I made one morning while in the discharge of my duties at Greenwich. I should mention that applications to the magistrate are supposed to be made to him in private, being intended for his ear alone. It happened, however, that this desirable privacy was not secured in connection with the application to which I am about to allude.

One morning, amid the large crowd of persons attending the Court for the purpose of asking questions, there appeared an individual whom I must pause for a moment to describe.

He was very unlike the ragged and wretched persons about him, and reminded one of the proverbial young man from the country. He was tall, sturdy, fat, and about fifty-five. His round, good-humoured face betokened a character and intellect not exactly adapted to cope successfully with the denizens of Deptford Market.

He told me he had been caught by an advertisement of a horse for sale that had appeared in *Reynolds's Weekly Newspaper*. The advertisement set forth the animal's marvellous attributes in the most glowing terms, and, being in want of a good steed, and feeling persuaded that this was the very one to suit him, he came up all the way from his home in Essex in order, if possible, to effect a purchase. He went on to say that he had inspected the animal,

and formed a favourable opinion of it, at the place where it was on view at Deptford Market, and that a deal had taken place, the price paid being £30.

My good-humoured but simple-minded friend had not taken the precaution to have the horse examined by a "vet"—that is, before the transaction took place. He did so afterwards, as he could not get the animal home; and then it was discovered that his acquisition was suffering from nearly every disease and infirmity that equine flesh is heir to. What, however, appeared to rankle most in the bucolic mind of my visitor was that the vendor had inspired him with perfect confidence by stating, upon their introduction, that he was a blue-ribbonite and a Christian.

Now, having had at the Bar some twenty-five years' experience of "horse-chaunters" and of the "horse-coping" fraternity generally, and intending my remark solely for the ears of this confiding innocent, I ventured to give him a word of monition in the following terms:

"Take my advice, and when a man tells you he is a Christian and a blue-ribbonite—look out!"

Of course I ought to have added: "When you are conducting a horse-dealing transaction;" but this I omitted to do. The consequence was that, during the next few days, some letters appeared in the newspapers animadverting upon the enormity of my conduct; and, as the correspondence gives the opinions both of my admirers and my detractors, I am induced shortly to quote from it.

On the 29th of January, 1887, the following appeared in *The Echo*:

"Mr. Montagu Williams went out of his way on the bench of the Greenwich Police Court yesterday to give advice gratis. He said: 'Take my advice, and when a man tells you he is a Christian and a blue-ribbonite—look out.' From this we may suppose that no one is likely to make a mistake, and to take Mr. Montagu Williams for a Christian and a blue-ribbonite."

On the 31st of the same month, in the same paper, "A Christian and a Blue-Ribbonite" wrote:

"Mr. Montagu Williams' little joke will not do much harm either to Christianity or to total abstinence. A sneer from an Old Bailey lawyer is often the highest compliment to a man's character."

And now for the other side of the question. In the same paper, on the 2nd February, appeared the following:

"Mr. Montagu Williams' Advice.

"Sir,—It is not surprising that Mr. Montagu Williams' advice should have fired the bigots. But his censors are surely quarrelling with their own misconceptions, just as hosts of purblind fanatics abuse Dickens for his alleged ridicule of religion in the persons of Chadband and Stiggins.

"Yet one would have supposed it to be obvious to the meanest capacity that the worthy magistrate meant

to discredit neither religion nor teetotalism, but only referred to the abuse thereof. His advice was: 'When a man tells you he is, etc. etc., look out!' That is—lest the eager professor be not what he wishes you to suppose him, but merely a hypocrite assuming the garb of goodness in order to conceal his sinister purpose. Excellent advice, surely, and innocent withal! Why pervert it? Why is your Christian-teetotaler correspondent so anxious to be insulted? Why does he go out of his way to seek a quarrel, and, like the jealous disciples whom Christ rebuked, to suspect enmity where none exists? Does he rejoice to sniff the battle from afar, or does he, like Uriah Heep, delight to be 'umbled? If so, in either case no doubt he is a very respectable man, but I can't say much for his taste. Blind perversity and cantankerous cussedness are responsible for half earth's misery.

"Then how consistent is your correspondent! After complaining that Mr. Williams sneers at his virtues, he sneers back at him with a will as an Old Bailey lawyer. But where is the stigma? Mr. Montagu Williams' Old Bailey career was honourable and distinguished, and, moreover, it exactly qualified him to give advice about hypocrisy.

"Your hypercritical and thin-skinned correspondent fights as one beating the air. Lest he ventures to brand me also as an enemy of religion and temperance, I beg to make the denial in advance. I am opposed

to neither; but let me assure him that religion and blue-ribbonism have less to fear from their avowed antagonists than from the injudicious action of over-zealous friends.

"ANTI-CANT.

"Peckham, *February* 1*st*."

Up to this time I had always been in the habit of hearing the applications made to me from my seat upon the bench; but, after this, I changed my tactics. I now go down to the box in which the applicant stands, and he pours his sorrows into my private ear.

CHAPTER XXIV.

AT WORSHIP STREET.

End of the distress—My removal to Wandsworth—A dearth of crime—I am transferred to Worship Street—Magisterial arrangement—In the thick of the slums—The advice of a public officer—His accurate prophecy—"The Bitter Cry of Outcast London"—"Slumming" as a popular amusement—The rookeries described—Thieving and honest toil—A pecuniary comparison—A shilling earned in seventeen hours.

By the commencement of the month of May, 1888, better times had set in in my district. The fund was expended, and the distress was relieved.

I had all along experienced considerable inconvenience in being forced to take three railway journeys a day—namely, one in the morning to Greenwich, another in the afternoon to Woolwich, and a third, later in the day, back to town. Especially was this state of things inconvenient in the colder months; and I resolved to move, as soon as possible, to a Court nearer London proper.

It had always been in my mind to become attached to one of the East End divisions. I had always been

fond of work, and I was aware that many of the Courts elsewhere would not provide me with sufficient. However, there did not happen to be a vacancy in the East End at this time, and so I arranged to be transferred to the new Court at Wandsworth. There I found practically nothing to do. At first this had been a half-day Court, the magistrate attached to it having given half his time to Hammersmith; but that arrangement had ceased, and when I took the office, it became my duty to attend there morning and afternoon.

There is at Wandsworth a certain amount of drunkenness, a little fruit-stealing in the season, and a few offences of that description.

I was not destined to stay there long. Mr. Mansfield, the magistrate of Marlborough Street, retired; Mr. Hannay was transferred, at his own request, from Worship Street to Marlborough Street; and, upon my application, I migrated to Worship Street. I have remained there ever since, and the scenes I have witnessed in the discharge of my duties, and the misery and squalor I have become acquainted with, put it into my mind to write these pages, in order that the general public might share my experiences.

The existing magisterial arrangements are very different from those prevailing when I was appointed to the Bench. Then each magistrate sat three days a week, except during what is termed the "vacation period," which extends from May to the end of October.

The Courts were grouped in pairs, called unions, and during the vacation period the magistrates thus associated would do one another's work, in order that each might take a holiday. Now, however, during the vacation period, I am called upon, when not on leave myself, to sit certain days in the week at Worship Street, at Thames, and at Clerkenwell, devoting one day every fortnight to North London (Dalston). Thus I have acquired experience, not only of the whole of the eastern area of London, but also of a great portion of the northern area; and this circumstance enables me to speak with knowledge as to the condition in which a large proportion of the inhabitants of London are existing.

My own district proper, namely, that of Worship Street, includes a large portion of Whitechapel, Shoreditch, Bethnal Green, and the Commercial Road; and thus I have knowledge of such slums as Great and Little Pearl Street, Fashion Street, Flower and Dean Street, Thrawl Street, Wentworth Street, Paternoster Court, and Bell Lane, which are in the very worst regions of the whole of the metropolis. The district on the other side of Aldgate, where the Thames division commences, is, so far as sanitation, morality, drunkenness, sweating, misery, destitution, degradation, and crime are concerned, almost as bad.

I propose first to deal with my experiences of the sanitary question in the neighbourhood of Spitalfields and Bethnal Green; and I wish it to be borne in mind

that the cases I shall give will not be solitary ones. They will represent what is to be seen in house after house, room after room, cellar after cellar, and street after street. There will be no colouring; I shall simply describe what exists, and what has existed now for many years.

Somewhere about the commencement of last year I had a conversation upon the general subject with a public officer who has had considerable experience of the district, and he made this remark:

"Don't touch the question, Mr. Williams. It's of no use—with all your energy you can't wrestle successfully with it. You will find it enough to break your heart. As far as the pestilential dwellings hereabouts are concerned, Mr. Bennet Burleigh and *The Daily Telegraph* have lately done some good work by instructing the public; but lor' bless you, sir! what will be the good of it all? It is now the month of January, and, as my duties constantly take me to your Court, I shall be able, in the month of June, to remind you of this conversation; and mark my words—nothing will then have been done, and the public will have lost sight of the question altogether."

He was almost right. June came and went, and little had been done. Nay, writing at the commencement of January, 1891, all I am able to say is that the London County Council has commenced to move in the matter. As to the action of that body I shall have more to say later on.

With regard to the houses of the poor in my district, I found them in an infinitely worse state than those at Deptford and Greenwich; and yet, from what I gather, the property is increasing rather than diminishing in value—at least, such was certainly the case a few months ago.

In 1883, a pamphlet was published, entitled, "The Bitter Cry of Outcast London." It caused a great sensation, and was one of the principal causes that led to the appointment of the Royal Commission on the Houses of the Working Classes. It prompted a great many ladies to visit the East End of London, in order to see what was the state of things that really prevailed there, and "slumming" became, for the time being, quite a popular amusement. A short Act of Parliament was passed; then the interest which had been aroused rapidly subsided, and the public sympathy, which was far more sentimental than real, dozed off to sleep once more. It woke up again at the latter end of 1889, in consequence of the letters and articles appearing in the daily press, but in a little while the horrors of the East End were again forgotten.

In my opinion, the pamphlet to which I have alluded contains the most powerful picture of East End squalor that has yet appeared; and, such being the case—and the description being as applicable in 1891 as it was in 1883—I cannot forbear from quoting a few passages from this remarkable publication.

The writer says:

"No respectable printer would print, and certainly no decent family would admit, even the driest statement of the horrors and infamies discovered in one brief visitation from house to house. . . . Few who will read these pages have any conception of what these pestilential human rookeries are, where tens of thousands are crowded together amidst horrors which call to mind what we have heard of the middle passage of the slave ship. To get into them you have to penetrate courts reeking with poisonous and malodorous gases arising from accumulations of sewage and refuse scattered in all directions, and often flowing beneath your feet; courts, many of them which the sun never penetrates, which are never visited by a breath of fresh air, and which rarely know the virtues of a drop of cleansing water. You have to ascend rotten staircases, which threaten to give way beneath every step, and which, in some places, have already broken down, leaving gaps that imperil the limbs and lives of the unwary. You have to grope your way along dark and filthy passages swarming with vermin. . . . Walls and ceilings are black with the accretions of filth which have gathered upon them through long years of neglect. It is exuding through cracks in the boards overhead; it is running down the walls; it is everywhere. What goes by the name of a window is half of it stuffed with rags or covered by boards to keep out wind and rain; the rest is so begrimed and obscured that scarcely can light enter or anything be seen outside. Should you

have ascended to the attic, where at least some approach to fresh air might be expected to enter from open or broken window, you look out upon the roofs and ledges of lower tenements, and discover that the sickly air which finds its way into the room has to pass over the putrefying carcases of dead cats or birds, or viler abominations still. . . . Every room in these rotten and reeking tenement houses contains a family, often two. In one cellar a sanitary inspector reports finding a father, mother, three children, and four pigs! In another room a missionary found a man ill with small-pox, his wife just recovering from her eighth confinement, and the children running about half naked and covered with dirt. Here are seven people living in one underground kitchen, and a little dead child lying in the same room. Elsewhere is a poor widow, her three children, and a child who had been dead thirteen days. Her husband, who was a cabman, had shortly before committed suicide. Here lives a widow and her six children, including one daughter of twenty-nine, another of twenty-one, and a son of twenty-seven. Another apartment contains father, mother, and six children, two of whom are ill with scarlet fever. In another, nine brothers and sisters, from twenty-nine years of age downwards, live, eat, and sleep together. Here is a mother who turns her children into the street in the early evening because she lets her room for immoral purposes until long after midnight, when the poor little wretches creep

back again if they have not found some miserable shelter elsewhere. Where there are beds they are simply heaps of dirty rags, shavings, or straw; but, for the most part, these miserable beings find rest only upon the filthy boards. . . . Here you are choked as you enter by the air laden with particles of the superfluous fur pulled from the skins of rabbits, rats, dogs, and other animals in their preparation for the furrier. Here the smell of paste and of drying match-boxes, mingling with other sickly odours, overpowers you; or it may be the fragrance of stale fish or vegetables, not sold on the previous day, and kept in the room overnight. . . . The low parts of London are the sink into which the filthy and abominable from all parts of the country seem to flow. Entire courts are filled with thieves, prostitutes, and liberated convicts."

With regard to the toilers, and how they live, the pamphlet goes on to say:

"A child seven years old is known easily to make 10*s.* 6*d.* a week by thieving; but what can he earn by such work as match-box making, for which $2\frac{1}{4}d.$ a gross is paid, the maker having to find his own fire for drying the boxes, and his own paste and string? . . . Women, for the work of trouser-finishing (*i.e.*, sewing in linings, making button-holes, and stitching on the buttons), receive $2\frac{1}{2}d.$ a pair, and have to find their own thread. We ask a woman who is making tweed trousers how much she can earn in a day, and are

told one shilling. But what does a day mean to this poor soul? Seventeen hours!"

In further describing the heart-breaking misery of the neighbourhood, the writer relates how he discovered a poor woman in an advanced stage of consumption, reduced almost to a skeleton, who lived in a single room with a drunken husband and five children. "When visited, she was eating a few green peas. The children were gone to gather some sticks wherewith a fire might be made, to boil four potatoes which were lying on the table, and which would constitute the family dinner for the day."

CHAPTER XXV.

SUMMONSES AGAINST SLUM-OWNERS.

Action of Mr. Bennet Burleigh and Mrs. Jeune—The case of the complainants—Lively rats and leaky roofs—An appeal to the unpaid magistrates—Evidence of the sanitary inspector and the vestry clerk—My visit to St. Anne's Place—Foul smells and dirt—Beershops and their temptations—The houses closed and demolished—Stitching for dear life—A fresh batch of summonses—Terrible revelations—Slum-owners on the vestry—Their "stake in the parish."

The first set of summonses in reference to the housing of the working classes that came before me at Worship Street were founded upon informations sworn by private individuals, namely, Mr. Bennet Burleigh, of *The Daily Telegraph*, and Mrs. Jeune, who has done much good work in the East End. Process was issued against the National Temperance Land and Buildings Company, as the owners of the premises complained of, which were Nos. 9, 10, and 11, St. Anne's Place, Boundary Street, Shoreditch. Messrs. Rollit and Company acted for the complainants, and Mr. Temple Cooke was counsel for the respondents.

The allegations of the complainants may be briefly

stated. The three houses were in a densely populated neighbourhood, facing a court. All the rooms were exceedingly small, and those on the top floors were so low-pitched that a man of ordinary stature could not stand upright in them with his hat on. They were so constructed that it was impossible for them to be properly ventilated. Closets and dust-bins were situated immediately outside some of the rooms. Many of the former had no water supply. Rats were running all over the houses. The roofs let in the rain, and the walls, from floor to ceiling, were running with moisture.

It transpired that, some time before, the vestry had directed its attention to these houses, with the result that a magistrate's order was obtained for their demolition. Against that order the persons interested lodged an appeal, which was heard at the next Quarter Sessions for the County of Middlesex (now the County of London).

It has always seemed to me a most anomalous thing that, from the decisions of metropolitan magistrates, who are men of considerable legal experience, there should be an appeal to a bench of unpaid justices. Such, to all intents, is the Bench for the County of London, for it must be borne in mind that, though the Assistant-Judge is a stipendiary, his vote is only one among many. The other justices are nearly all laymen, and many of them have had very little judicial experience.

The matter went before the Court of Quarter

Sessions, and a compromise was the result. The premises were allowed to stand, on the owners undertaking that they should be put into a proper state of repair.

It was the old story. A process of patching up was gone through, the surveyor expressed himself as perfectly satisfied, and in a little while the houses were in a worse condition than ever. Hence the application to me.

There were, it appeared, thirty-three rooms, accommodating one hundred and eight persons, in this row of houses. One of the witnesses for the prosecution was Mr. Alexander, the sanitary inspector of Shoreditch, and he stated most positively that nothing could be done to make the premises fit for human beings to live in. Mr. Walker, the vestry clerk, confirmed this statement, adding that the occupants of the rooms were in hourly danger of contracting disease.

Upon hearing this evidence, I resolved, although it was four o'clock in the afternoon, to at once pay a visit to St. Anne's Place. It was, of course, desirable that no opportunity should be given to the parties interested to prepare for my reception.

A hansom was called, and, accompanied by the district surveyor, I drove straight to the houses. As had been arranged, we were met there by the solicitors and counsel in the case, the several public officers concerned, Mr. Bennet Burleigh, and Mr. Revill, the agent for the property.

Good Heavens! what a place it was! To think that one's fellow-creatures were doomed to live in such filthy holes!

The court was so narrow that two persons could not walk down it abreast. To say that the atmosphere was fetid would be putting the case too mildly. The place smelt most foully.

I made a thorough inspection of all the houses. They were very dirty, squalid, and damp. The "sanitary" arrangements were much worse than had been described, and we saw some most disgusting sights. When I drew Mr. Revill's attention to certain details, he replied, somewhat heatedly as I thought:

"Well, sir, if anything is put to rights one day, it is knocked about and destroyed the next."

This observation, however, did not seem to me to be just, for, as I pointed out to him, some of the tenants had put patches on the walls and ceilings to hide the damp marks.

As I was being driven away, I saw, within a few yards of the alley, two public-houses. "And," thought I, "they blame these people for drinking—for trying to drown their cares!" Just consider how alluring must be those warm and well-lighted public-houses to persons living in the filthy holes I had visited. Who can wonder that first the man, and then the woman, or *vice versâ*, is drawn to this, their only Lethe?

The counsel for the respondent had not accompanied us over all the houses in the alley. After seeing one

or two of the rooms, he had, somewhat prudently, declined to take any further part in the inspection. On resuming my seat on the bench, I at once turned to him, and asked if he had any remarks to make. He promptly admitted that, in their present state, the houses were uninhabitable; but he went on to say that, if time were allowed, they should be put into a proper state. But the sanitary officers—who, after all, are experts—had distinctly stated that the property was too bad to mend; and I therefore made an order for the houses to be at once closed, with a view to their subsequent demolition.

My order was duly carried out, and these disgraceful buildings were razed to the ground.

"Then the legal machinery actually exists," some reader may exclaim, "for remedying the present deplorable state of things. Here was evidence given as to the unsanitary condition of certain houses; the magistrate convinced himself that the allegations were true, and, exercising the powers vested in him, he caused the buildings to be closed. What is easier than to have recourse to this process in other cases, until at last all the rookeries in the East End, and, for the matter of that, all the rookeries in other parts of the metropolis, are swept away? Have we not here, indeed, a complete solution of the housing problem?"

Alas! such an easy way out of the difficulty does not exist. The closing or pulling down is simplicity itself; but how about the rebuilding? What had I,

through the instrumentality of Mr. Bennet Burleigh and others, actually succeeded in doing, in the case just described? Well, we had deprived one hundred and eight persons of bad homes, but we had not provided them with good ones. The magistrate's powers stop at destruction; they don't extend to construction. The law says to the owner of an unsanitary dwelling: "It must be closed or pulled down;" but it doesn't go on to say: "You must build a sanitary dwelling on its site." I am, of course, not suggesting that the law should assume this arbitrary attitude. I desire merely to place every aspect of the question clearly before my readers; and, in the attempt to achieve this purpose, I shall, later on, have something to say in reference to the disposal of cleared areas, which is the crux of the question.

While going over the houses in St. Anne's Place, I came in contact with a group of human beings in very sore distress. I entered a bare room occupied by a woman, two grown girls, and three children, nearly all in rags. There was no bed, and nothing to take its place; and I turned to the woman, and asked:

"Where do you all sleep?"

Her answer was: "Oh, we sleep about the room how we can."

I noticed that the atmosphere was charged with a damp mist, and I shuddered on perceiving the cause. The walls were saturated with moisture, and the heat from the small wood fire was drawing it out.

"Where is your husband?" I said to the woman.

"In there, sir," she replied, pointing to an aperture in the wall which had previously escaped my notice, and which presumably marked the place where a door had once stood. Walking through the aperture, I found myself in a small apartment; and the sight that met my gaze was terribly pathetic.

Sitting on the floor was a miserable-looking man, with sunken eyes and hollow cheeks, and beside him were two boys, one of about fourteen and the other sixteen. They were making boot-uppers, and stitching laboriously—stitching for their lives. Not one of them lifted his head as I and my companions entered—not one, by word or gesture, paid the slightest heed to our presence. For several minutes I stood staring at them, completely dumbfounded; and the silence was broken only by the clicking of the needles. Not one of these poor toilers could spare a moment to look up at us. Their work was obviously of more consequence to them than anything else in the world. And so it went on—stitch, stitch, stitch. At last I could bear it no longer, and beat a hasty retreat.

I had seen a sight that I shall never forget as long as I live, and I felt a choking at my throat. Addressing the woman, with an air of assumed cheerfulness, I exclaimed:

"Well, your good man and the boys don't seem to think much of their magistrate. They never spoke, they never asked us what we wanted, but quietly went on with their work."

"Lor', sir," replied the woman, apologetically, "they meant no disrespect. They've no time for asking questions. It's Saturday, sir, and if the lot of uppers they're working on ain't finished by eight to-night, there'll be no more food to-day, and not a morsel of dinner for any one of us to-morrow—no, sir, not so much as a bit of bread for the young uns."

"Is it as bad as that?" I said.

"Well, sir," she replied, looking pathetically from one to the other of us, "for the matter of that, things may get worse—very much worse." She paused for a moment, and then continued, with just a touch of protest in her tone: "Ah, I know you gentlemen means well a-coming here, and a-going all over the court, as one of the little gals upstairs just ran in to tell me you'd been doing; but bad as it is, sir, it's a 'ome, and if we're turned out of this, goodness knows what's to become of us. There isn't another place hereabouts, not as we could pay for."

I need scarcely say that, after making the order for these houses to be closed, I did my best to have new accommodation found for the wretched persons who inhabited them.

A few days after I dealt with these summonses, a special meeting of the Vestry of Bethnal Green took place, when it was reported that notice had been given to a well-known property owner in the district that fifty of his houses had been marked for condemnation, they being in a state utterly unfit for habitation. It is

probable, indeed, that Bethnal Green contains as many rotten, unsafe, and foul houses as any London parish.

In the first week in December, 1889, I heard a number of summonses, taken out by the sanitary inspector, against the owners of several houses in Short Street, New Nichol Street, and Half Nichol Street. I made it my business to personally visit the premises complained of, as well as a large number of others in the neighbourhood; and I can most positively declare that the evidence of the medical officer of health, of the district surveyor, and of other persons appearing on behalf of the prosecution, so far from exaggerating, actually understated the case.

Dr. Bate, the medical officer, said that all the houses were damp, ill-ventilated, and without adequate water supply, and that the air in the rooms was poisoned by the effluvia from the drains. He spoke of one room, inhabited by a large family, in which six ducks were kept, and he declared that he had found, in the cellars and basements of all the houses, scores of ducks, fowls, and rabbits. Naturally, the smell was most offensive. The only way to reach the yard in most of the houses was, the witness declared, by crawling through a cellar four feet high.

Mr. Weston, the district surveyor, said that in one room, which was inhabited by five children and two adults, he found the walls decayed and the woodwork rotten. He went on to assert that the houses were weather-boarded only, and that most

of the small yards in the rear had been covered in and converted into workshops, which had, of course, prevented ventilation. He had, he said, inspected and reported upon these houses twelve months before; and Dr. Bate, on being recalled, informed me that he had actually condemned them, some as far back as 1885. Nevertheless, it appeared that no action had been taken by the authorities in the matter. I asked who the leaseholder was, and was informed that he was the owner of a vast amount of property in Bethnal Green. I was further given to understand that the freeholder was the late Duke of Buckingham and Chandos.

By the side of Shoreditch Church is Mead Street, and I made an order that the houses in this thoroughfare should be closed unless the local authorities decided that they could be made habitable. Every one knows Shoreditch Church, and this street must be very familiar to Londoners. Yet for years the houses therein had been utterly unfit for decent habitation, and no one had heeded!

The residents of Mead Street had to pay three-and-sixpence or four shillings a week for each of their rooms. Rooms, indeed! Yes, they had walls and ceilings, it is true, but the walls were cracked and mildewed, and the wet oozed through the ceiling and dripped on to the floor.

My attention was called particularly to Pereira Street, and I visited it. Really, it seemed as if I were

going from bad to worse. The houses in this street were tumbling to pieces. Many of the windows had gone completely, and the poor tenants had nailed pieces of board across the openings to keep the wind out. The place was inhabited by makers of match-boxes, paper bags, slop clothes, etc. Certain four-roomed houses, I learnt, were let for seven shillings a week to a man who sublet the rooms singly, and made about a hundred per cent. on his investment.

It was in the evening that I visited Pereira Street, and in most of the rooms I found the children had gone to bed, by which I mean that they were lying on the floor with a rag or two over them. I saw pieces of the grimy crust of the ceiling fall upon them as they lay asleep. Can it be wondered that the wretched creatures who dwell in places like this fall victims to ague, typhoid, and every sort of disease and disorder? Their very food, when they can get any at all, is of the coarsest and most unwholesome description. Not only private misery but public peril attends the squalor of the East End, and it is nothing more nor less than a national disgrace that, in the capital city of this great Empire, such a condition of things is allowed to exist.

So far as I am aware, there is no place in the world where the tenant is worse treated by his landlord than in the East End of London. Yet many of these house-farmers are vestrymen! A man buys up a short lease or two, and possessing thus the necessary property qualification, he is not slow to obtain a seat on the

vestry. "A stake in the parish!"—that is his cry; and no one takes the trouble to ascertain the nature of that stake.

The property acquired often takes the form of houses that have been bought by a railway company, which proposes, later on, to clear the ground, with a view either to an extension of line or to the erection of premises. Possibly three or four years have to elapse before the company is ready to demolish the buildings; and the house-farmer steps in and acquires the lease on easy terms. Such cases have occurred over and over again, to my knowledge. The enterprising vestryman pays about £1 a week for the house, for which he derives from 35*s.* to £2 a week from his single-room tenants.

By whom are the medical officers of health and the sanitary inspectors appointed? By the vestry. Need I say more? However anxious these officers may be to do their duty—and admirably, in most instances, they do it—human nature is human nature, and if they persisted in drawing attention to house after house acquired in the way I have described, is it necessary to suggest what would probably be the consequence?

Why should not these appointments be made directly from the Local Government Board, and why should not the reports be made to that Department?

CHAPTER XXVI.

A MORNING AT WORSHIP STREET.

The business of an entire sitting—The applications—Women who had been assaulted by their husbands—Paying two shillings to revenge the loss of one — The imaginary "protection order"—A Jew who had been robbed—An amusing case: the man and his dog—A refractory lodger—The missing landlord and the embarrassed tenant—"He strangled me"—The dead lodger and her "things"—1,007 fits in three weeks—The hunchback and his troubles.

It occurred to me that my readers would receive a very accurate impression of East End squalor and East End crime, if I gave them a full account of all the applications and charges that came before me at Worship Street during an entire morning. At first this did not seem a very easy thing to do. What with putting questions to applicants, prisoners, and witnesses, and listening to what is said, the attention of a magistrate while upon the bench is pretty fully occupied; and thus it would be impossible for me to make anything like a detailed record of what passes. However, I eventually hit upon a solution of the difficulty. I employed a shorthand writer to come to the Court one

morning (August 18th, 1890) and take down fully all that was said; and with the aid of the transcript of his notes, I shall, I think, be able to give a very faithful account of the sitting. Of course I shall mention no names.

The date was chosen quite at haphazard, and this particular morning was by no means as interesting as many. The sitting occupied two hours and a half, and during that time, as will be seen, 31 applications and 36 charges were heard. Some cases were disposed of in a minute or two, and the longest occupied about half an hour.

The applications of course were heard first and the charges afterwards. I shall give the cases in the order in which they occurred.

(1) A young woman, poorly clad, and obviously belonging to the not very numerous class of East End domestic servants, whose condition, I am afraid, is much less enviable than that of their sisters in other parts of London.

"Please, sir," she said, "I came about an assault. Master struck me. He keeps an eating-house, sir, and I'm the servant there. On Saturday, because I asked him for my wages, and said I shouldn't go till I got them, he punched my arm and threw me out on the pavement."

"You can have a summons for the assault," I said.

(2) An older woman, whose face was pinched and

white, as though—as was probably the case—she were half-starved. Speaking timidly, her voice being scarcely above a whisper, she said :

"I want a separation from my husband, sir. He's always knocking me about, and on Saturday he smashed my finger" (showing me her bandaged hand). "He was 'ad up on Saturday night for being drunk, and he'll come before you this morning, the policeman said. He's been up before you several times. If you could settle it this morning I should be much obliged to you, sir."

I said :

"Well, I will give you a summons against him, returnable this day week, and you can have it for nothing."

"Thank you, sir. I'm afraid if he comes out he'll knock me about again, like he did before."

(3) A middle-aged, poorly clad woman, who complained that her husband had ill-treated her. It appeared that she was separated from him by deed, and that on the previous Thursday he had met her, with the result that, as she put it, a "row" took place.

A police officer, interposing, said that a street fight had taken place in a very low neighbourhood, and that, in connection with the affair, a summons had already been taken out against the applicant.

The woman, turning angrily to the speaker, said :

"Yes, and I'm sure I don't know what I'm

summoned for. I've got six children to keep, and he kicked me in several places, he did, and I didn't do nothing."

The officer said :

"There were two women and two men in the fight, sir, and there was an old grievance between them."

I told the woman she could have a cross-summons, and that the two should be heard on the same day.

(4) A man of about five-and-twenty, who remarked :

"I want a summons against a man, sir, what came into our workshop on Saturday and said he wanted to speak to me, sir, and then he punched me on the nose."

"You can have it," I replied.

(5) A foreign Jew, of about middle age, and of untidy appearance. In broken English, he muttered :

"May I have, sir, the summons against a woman what have broken my window ?"

"What is the value of the window ?

"One shillings, sir."

"But," I exclaimed, "the summons will cost you two shillings ! Surely it isn't worth while. Don't be so foolish as to spend two shillings over a loss of one."

"Yes, sir, I will have the summons, if you do please ;" and he accordingly took it.

(6) An elderly, ragged woman with a black eye. Pointing to the disfigured organ, I asked :

"Who did that?"

"My husband, sir," she replied; and then her tongue rattled on: "He's living with another woman now, and many's the time I've had him up here for assault, and I went to him on Saturday night, sir, and that's when he done it, sir. He won't give me nothing —not a farthing—I aint 'ad a sixpence from him for ten weeks come next Friday. We are separated by agreement, and it was when I was trying to get him to give me some money for my keep—that's when he done it, sir."

"You can have a summons."

(7) A woman carrying a baby in her arms. She said:

"I want a protection order agin my husband and his sister."

For I suppose about the thousandth time I explained that there was no such thing as a protection order. "What do you complain of?" I asked.

"Well, sir," she said, "my husband and his sister threaten my life. We live in Brick Lane, and my husband is always being locked up, and when he comes out he beats me about awful. I am all bandaged up all over, sir, if you'll believe me. Look at this (showing a bruised arm). Ain't it just too bad?"

I granted summonses against both parties complained of.

(8) A woman considerably younger than the others, and bearing an infant in her arms. She said:

"I've been separated from my husband three months, though not by a magistrate's order. I earn what I can, to keep baby and myself, at the wash-tub. My husband doesn't give me a penny, and I want an order to make him maintain the child. I'm living at mother's."

"Are you married?" I asked.

"Oh, yes, sir. After we lived together for some months, Tom—that's my husband, sir—began to starve me and knock me about, and so I had to run away from him."

"Oh," I remarked, "you ran away from him, did you? Then I have no power to help you. If he had left you, it would have been a different thing. You must go to the relieving officer; he alone can assist you."

(9) A melancholy-looking, middle-aged Jew, who whispered to me confidentially:

"I've been robbed. It was midday on Friday."

Here he paused, as though he had said all that need be said.

"Well, sir," I observed, "go on; who robbed you?"

"I've got a tenant in my house," he proceeded, still more confidentially, "and I gave him notice three weeks back, but he won't go."

"But what has that got to do with the robbery?" I exclaimed, somewhat impatiently, the man having again come to a full stop.

"Why, sir," he said, apparently astonished at my want of penetration, "I think he done it."

"You think! But your thoughts are not evidence."

"But this is why I think he done it, sir. The other day he said to me: 'You've been robbed once, and I'll bet you'll be robbed again.' There," he added, triumphantly, "doesn't that bring it home to him, sir?"

"Certainly not," was my reply, "and I only hope for your sake your lodger is a false prophet. I can do nothing for you, so you must please step down."

(10) A youth of about eighteen with short-cut hair. He had, it appeared, a twofold grievance against his employer.

"I'm an apprentice, sir, and my master last Saturday wouldn't give me my wages, and, what's more, sir, he won't give me any work to do."

"You can summons him under your indentures," I said.

(11) An elderly man, tolerably well dressed, who seemed, from his demeanour, to be labouring under a sense of great wrong.

"Please, sir," he began, in a plaintive voice, "I lent a man a dog for two days, and he won't give it back to me."

"What sort of a dog?" was my first question.

"Please, sir, a little pug dog."

"And what did you lend the little pug dog for?"

"Oh, sir, the man wanted to use it."

"To use it! What—for killing rats?"

"N-no, not exactly that, sir. He—he——"

"Well, sir, go on. Why don't you tell me?"

"He wanted it," stammered the man, "for—for——"

But here he again completely broke down. A happy thought seemed suddenly to seize the interpreter of the Court, who rose from his seat at the solicitors' bench, and said:

"Perhaps, your worship, it was for breeding purposes."

The applicant nodded an eager assent.

"Well, man," I said, endeavouring to look serious, "you need not be so delicate about it—I only want to get at the facts. And why wouldn't the man return the dog?"

"I don't know, sir. I asked him for it, but he said he'd rather poison it than let me have it back. He afterwards said he'd fight me for it, but of course I wouldn't do that."

"What is the value of the animal?"

"About four or five pounds."

"Did the man pay you anything for the use of the dog?"

"No, sir; I lent it to him because he's a friend of mine."

"Well, all I can say is that it's most unfriendly of him not to return it. You had better take out a summons against him for detaining your property."

"But, sir, I haven't got his name and address!" exclaimed the man, helplessly.

It was impossible to be angry with him, and so I replied, kindly :

"Now listen to me, and I'll tell you what to do. Go away and find out his name and address. Some one is sure to know all about him, and if you persevere you are sure to succeed. When you have found out the name and address, come back here, and you shall have a summons. Do you understand ? "

"Yes, sir," he replied ; and looking very happy, he took his departure.

(12) An elderly woman, who said :

"I've come about my child, sir. Her father hasn't given me a penny for her support for six weeks."

"Are you single ? " I asked.

"Yes—at least I was then ; but I'm married now."

"Then your application is in reference to the arrears of an affiliation order, I presume ? "

"Yes, sir."

"What is the amount ? "

"Thirty shillings."

"You may have a summons."

(13) A neatly dressed young woman, wearing deep mourning, who murmured :

"I want to know what I can do about my husband. He hasn't given me any money since Saturday three weeks, and he knocks me about every time he sees me. Last Saturday he hit me and kicked me in the streets. I'm bruises all over. I want a summons, but I can't afford two shillings."

"You may take one for nothing, then."

(14) A loud-voiced woman, apparently consumed with indignation.

"I want a summons," she said, "against a woman who came after me in the streets yesterday and dared to call me" (here she suggested a number of epithets by their initial letters) "and a lot of other dirty, filthy names, sir; and the whole neighbourhood out and looking on!"

"Well," I said, "you can of course have the summons if you like, but I shouldn't advise you to. It really isn't worth while."

"Oh, indeed!" she retorted, tossing her head. "I will have the summons, if you please. It is an old grievance, I assure you."

(15) A woman in a red shawl, who apparently had a genuine grievance, but she had brought it to the wrong Court. She explained that she had let her shop and business to a man for eighteen shillings a week, and that he had quitted the premises without settling. I told her that she had an excellent case for the County Court.

(16) A thin, excitable-looking young woman.

"I think it's too bad," was her opening remark; and she went on to unfold her tale in a most hysterical fashion. She came to protest against the conduct, not of a brutal husband or an abusive neighbour, but of myself. It appeared that her little boy had "got into trouble down the road with another little boy," some

days before, and had been sent by me to a Reformatory School. The woman protested bitterly against my action, spoke of the number of attendances her son had made at the Board School, and remarked that she herself was a respectable woman, and had never been in a Police Court before in the whole course of her life.

Having refreshed my memory with the particulars of the charge brought against the lad, I dismissed the woman, telling her that what had been done had been done for his own good.

(17) Another unhappy woman who had been maltreated by a brutal husband. Her statement was a model of brevity. These were her words:

"My husband is always knocking me about, and on Friday he came home the worse for liquor and took up a saucepan and hit me here;" and she pointed to her swollen and bruised temple. She took a summons.

(18) A nervous youth of about sixteen. He faltered:

"We have a house in Royal Mint Street, and we had a tenant there for two weeks; but he's gone now and we find he's left a lodger, who won't leave, though we've told him to again and again. It's no use speaking to him, so mother sent me down to see you about it."

I directed one of the officers to send a constable to the house to warn the lodger that he must leave.

(19) A powerful-looking labourer who was anything but nervous.

"I want a summons against a man for assault," he said, airily, and I told him he might have one.

(20) A tottering old man with a very thin face. He whispered:

"I kept an oil shop, having bought the business from a man seven months ago; but I wish to give it up now, and I want to know if I am liable to pay rent while I hold the key."

"Are you a weekly tenant?" I asked.

"No, sir, a monthly tenant."

"Have you given notice to quit?"

"No, sir."

"Well, you should do so at once."

"But I do not know where to find the landlord, Mr. D——."

"Well, where does he live?"

"He kept an oil shop in Weymouth Terrace, but when I went there, I found that he had sold it and gone away. So I can't give notice, and I can't give up the key."

"But doesn't the present occupier of the oil shop in Weymouth Terrace know where Mr. D—— has gone?"

"No, sir; he says he doesn't know what has become of him at all."

"Well, I would advise you to leave the premises and to lock them up, and if Mr. D—— summonses you, the case will come before the County Court, and I don't think it will be maintained. You had

better also write a notice to quit, and leave it for Mr. D—— at the shop in Weymouth Terrace."

"But, sir, I did do that, and the new people wouldn't take the notice."

"Well, then, what I should advise you to do would be this: put the notice to quit in an envelope, together with the key, address it to the shop in Weymouth Terrace, which is the only address of Mr. D—— that you know, and send it by post."

"Thank you, sir," said the man; and he took his departure.

(21) A very old woman, who was apparently trembling with anger. She said:

"Can I have a protection order against a person who is continually——"

"I think the best thing for me to do," said I, interrupting her, "will be to put a large notice on the door of the Court to the effect that there is no such thing as a protection order. Now, what is it that you complain about?"

"I work for a sealskin merchant close to here, and this person that I've come to tell you about keeps on meeting me just as I come out. She walks the streets I know, and she's such a dreadful character. She calls me, oh, the most filthy names, and I can't stand it, sir."

"You want a summons, I suppose, for abusive language?"

"Yes, sir; but I don't know this party's address, though I know her name."

"Well, you must find out the address before you can have the summons."

(22) A young man of apparently respectable appearance, wearing a leather apron.

"Can I," he said, "take a summons out against a brewer, my employer, who has discharged me without notice?"

"Were you entitled to a week's notice?"

"Yes, sir, a week's notice or a week's pay."

"What was your work in the brewery?"

"Delivering, and that sort of thing."

"Well, I'm afraid I can't help you. You must go to the County Court."

(23) A young, well-dressed woman, with a baby in her arms.

"My husband, sir," she said, "has been throwing things at me, and he tried to strangle me."

"When was this?"

"Well, he threw some things at me last night."

"What things?"

"A saucepan and a whitewash brush. On Friday morning he punched me in the face and strangled me."

"Strangled you? You mean he tried to, I suppose?"

"No, sir, he did it," replied the woman, commencing to sob hysterically.

"Well, you may have a summons for assault," I replied.

(24) An elderly woman, wearing a bright red shawl, who curtsied low on stepping forward. She said:

"If you please, yer honour, I've come about that case that was heard here last Thursday fortnight, about my poor mad husband. He's been and gone——"

"I wasn't sitting here last Thursday fortnight. The case must have come before my brother magistrate. He will be here to-morrow, and you must come up again then."

(25) A Jew boy, who was very nervous. He commenced to mumble something that I could not hear, and I told him to speak out. Raising his tremulous voice, he said:

"A man hit me, sir."

"What man?"

"A man named Hind, sir."

"Where does he live?"

"I don't know."

"What did he hit you for?"

"I don't know."

"Where did he hit you?"

"On the back, sir."

"Oh, nonsense!"

"But, sir, mayn't—mayn't I have a summons?"

"Certainly not. Go away at once."

(26) A young woman with a baby in her arms, and with a thin, pale face, powerfully suggestive of destitution and disease. She faltered:

"If you please, sir, my husband came home last night the worse for liquor and struck me, and it's not the first time, I'm sorry to say. I don't want

to put him away, but I want to frighten him. I want him bound over to keep the peace."

Alas! cases of this kind are frequently occurring. Of course the poor wife does not want her husband sent to prison. If the bread-winner is removed, the children will starve. In cases of this sort the applicant fancies she can invoke the assistance of the law without provoking its penalty. She thinks there may perhaps be some middle course—some compromise; but it is a delusion. Some women, however, find a tolerably satisfactory solution of the difficulty, though whether their action is always premeditated I cannot say. I refer, of course, to the practice of taking out a summons against the man, and, on the day on which it is appointed to be heard, failing to put in an appearance to prosecute.

Addressing the present applicant, I said:

"You place me in a position of some difficulty. You want to proceed against your husband, and yet you don't. I quite understand what is in your mind, and I sympathise with you. I think perhaps the best thing you can do will be to take no further steps in the matter at present. Perhaps your husband will behave better in the future. Of course if he again ill-treats you, it may be absolutely necessary for you to take out a summons."

(27) A short but very stout man, with a clear, pink complexion, who, in a brisk and business-like manner, explained how his employer, notwith-

standing the written agreement between them, had discharged him without paying a week's salary in lieu of a week's notice. I, of course, referred him to the County Court.

(28) A respectable-looking, buxom woman, dressed in black—a landlady, every inch of her. Smiling cheerfully, she said:

"My second-floor lodger died last night, and she owes me five weeks' rent."

"Well," I observed, somewhat taken aback, "the dead can pay no debts."

"Quite so," she replied, briskly; and then, lowering her voice confidentially, she added: "But I can have her things."

"I don't know about that."

"But, don't you see, if I don't have them, the milkman will. He came round to my place this morning, and said she owed for fourteen weeks, with four eggs every Sunday."

"Well," I said, "you can distrain for rent. I don't see what else you can do."

"Oh, I know all about that," the woman retorted; "but I thought, perhaps, if I mentioned the matter to you, you could give me authority. I now see," she added, looking at me disdainfully, "that I have made a mistake, and I beg to wish you a good morning;" upon which, with a haughty inclination of her head, this great personage left the Court.

(29) A middle-aged man, in elaborate rags, with

the whining voice and air of affected humility that sometimes succeed with simple-hearted old ladies, but never, I should imagine, with police magistrates. This fellow had learnt his tale by heart.

"If you please, your honour," said he, deferentially touching his forehead, "I've walked all the way from Bristol in the hope of finding work in London, and, on the way, my spine and hip have become diseased."

"Indeed."

"Yes, your honour, and perhaps your honour would have no objection to see my spine, just to convince yourself."

"I should have the very strongest objection to do so. What do you want?"

"Only to ask your honour whether it lies in your power to send me to the workhouse?"

"Of course you can go to the workhouse."

"But they won't take me."

"Nonsense! They are bound to. You can step down."

(30) A tall, dirty, ragged individual, who might or might not have been an impostor. His story was certainly remarkable, if true. He said:

"I had a happy home, sir, but I suffered from fits, and had to go into the hospital. I was three weeks in there, and during that time I had one thousand and seven fits."

"One thousand and seven? Why, that must have been at the rate of one every half-hour, day and night!"

"Yes, sir; that's about it. Well, when I was in prison, my wife came in and saw me three times drunk."

"Do you mean that you were drunk, or that she was?"

"She was, sir. Now, when I come out of the hospital, I have no home, for she has sold up everything and is now on the streets."

"If you've got a bad wife, I can't help you. I'm very sorry for you, but, unfortunately, I can do nothing for you."

(31) A very old and infirm hunchbacked man on crutches, who was led forward by two constables.

"Perhaps," said the interpreter of the Court, "you will allow me to say a word or two about this case. Twelve months ago the applicant was run over, and was taken to the hospital, and he now wants to know whether he cannot recover damages against the man who did him the injury. He was in Court the other day, when Mr. Bushby advised him to apply to a solicitor and bring an action."

In a shrill, feeble voice, the applicant said:

"I wish I was as well off as when I first knew you, sir. You pleaded for my son in days gone by."

"I dare say," I observed.

"I was run over, sir," continued the old man, "in Commercial Street, and taken to the hospital, and was there a long time; and I've come out, though I thought I should die. I did, indeed, sir!"

"Yes—well?"

"Well, I didn't die, sir."

"No."

"And I want to get your advice, sir, for what I'm to do about it."

"You must bring an action."

"Yes; I've been to a solicitor, but he won't take the matter up because I've got no money. Oh, dear! I had money when I employed you; but I've lost £800 in horses."

"How do you mean?"

"Why, bad luck, of course—the same as many another man."

"Betting?"

"Betting—no, sir. I bought the horses to sell them, and they died. It was misfortune."

"Very great misfortune."

"Yes; and I employed you for my son that time against Mr. Beasley."

"I dare say."

"And you made skittles of 'em."

"I can't say anything about that."

"And I want your advice now."

"You must go to a solicitor; but if you've got no money you can hardly be successful, for few solicitors would take the case up if there's no money."

"I had £30 when it happened—twelve months ago; but it's spent. It's gone in paying rent, and one thing and another. Can't I summons them for that £30?"

"No; the only thing you can do is to bring an action."

Two constables then led the applicant out of Court.

This was the last of the applications.

CHAPTER XXVII.

A MORNING AT WORSHIP STREET (*continued*).

Description of a public-house robbery—Charges of drunkenness—Excuses for inebriation—Assaults upon the police—Quibbles from the dock—A desperate youth—His decent coat no excuse—Charges of street gambling—The non-appearance of women to prosecute—Judicially separated for the second time—A cool thief—Boot-stealers—Three typical housebreakers.

I NOW come to the charges that were heard on the morning with which I have partially dealt in the preceding chapter.

(1) Two men, both of about middle age, who were charged with robbery.

A licensed victualler, carrying on business in the neighbourhood of Victoria Park, was the first witness. He deposed that one of the prisoners, L——, had been employed in his establishment as barman, having come to him with four months' good character. He did not know the other prisoner. "In consequence of what a detective told me," the witness continued, "I watched L—— as he served the customers last night. The other prisoner, B——, came into the bar at about half-past

seven, and, turning to a man who was standing there, said: 'Have a drink?' The man, who was the detective I refer to, replied: 'That's very kind of you. You are an entire stranger to me; but I've no objection.' L—— then took the order for a couple of glasses of bitter, and, though he had received no money, he proceeded, after serving the liquor, to go to the till, and take out some coppers and silver, which he handed to B——. A few minutes afterwards a man came into one of the other compartments, and, looking across to B——, said: 'You are talking to a split.' A 'split,' your worship, means a detective."

Several other witnesses gave confirmatory evidence. A man who lived in the neighbourhood of the public-house, and who had assisted in the arrest of the prisoners, said:

"I heard the policeman's whistle, and I saw B—— running along the road. He seemed to me to be a wrong member, so I gave chase, and lent the constable a hand in collaring him."

The prisoners were remanded for a week.

(2) A ragged old woman dressed in black.

A policeman testified to having found her drunk in a public place.

"What have you to say?" I asked.

"I'm very sorry, sir," she replied.

I asked the gaoler whether he knew the prisoner.

"No, sir," he replied, "she's not been here before."

"You are discharged," I said.

(3) A woman still more ragged.

Evidence was given as to her having been found drunk in Wentworth Street.

"Shan't 'appen again," she said; and she was discharged.

(4) A disreputable-looking man. (Same charge.)

"Please, I met a friend or two, and 'ad a drop."

Not known; discharged.

(5) Another man, apparently a bricklayer's labourer. (Same charge.)

"Drop too much, sir. 'Tain't often as I forgets myself."

Not known; discharged.

(6) A young woman with a baby in her arms, found drunk in Edward Street.

"She has been here before, sir," said the gaoler; "but it was Christmas time, and she was discharged."

"What have you to say for yourself?" I asked.

"On Saturday night I went and saw father home, and coming back I met a friend who hit father on the head. I wasn't drunk; but I must say I 'ad 'ad a drop."

"Let this be a lesson to you. Next time you will be sent to prison. You are discharged."

(7) Another woman with a baby in her arms, having no bonnet on. (Same charge.)

"Not known, sir," said the gaoler.

"What have you to say?" I asked.

"I admit I had too much to drink. It shall never happen again."

"I hope not. You are discharged."

(8) A woman wearing a bright red shawl. (Same charge and not known.)

"I am very sorry, yer worship; never 'appened before. I'm not in the 'abit of drinking at all."

"Better take the pledge, then. Discharged."

(9) A well-dressed woman of about five-and-twenty. She had been found drunk in Commercial Street.

"What have you to say?"

"I had been having a row with my young man."

"That's no reason for being drunk."

"Well, only about half an hour before, I had come away from Bartholomew's Hospital, where I'd been to see mother."

"That's no reason either."

"Well, I got drunk coming home."

"Next time, you will be sent to prison. Discharged."

(10) A miserable-looking old man, who was trembling and crying. He had been found drunk in Brick Lane.

"Not known," said the gaoler.

"Ah, but I'm afraid I know you," I said. "I fancy I've seen your face before."

"Very sorry, yer worship," said the prisoner, blubbering piteously. "I'd been working very hard all day yesterday, and I had a drop in the evening. Very hard I'd been working—I had, indeed."

"Yes, and you went and spent all the money you'd earned on drink, I suppose."

"I met with a neighbour, and I had a drop, and it took effect upon me."

"Don't try it again. Discharged."

(11) A tolerably well-dressed woman, charged with being drunk in Green Street. (Not known.)

"I was not drunk, sir," said the prisoner, indignantly. "I took a summons out here last week against my husband, and when he came out yesterday, he pulled me about awful."

"Mind you never get drunk, then. Discharged."

(12) A horrible-looking woman with bleary eyes, found drunk in Whitechapel Road.

"I had a drop too much. I admit it."

"Discharged."

(13) A man about fifty years of age, dressed in rags, who was found drunk in Middlesex Street.

"I was not drunk. I have a bad leg, and I sat down to rest it, and the policeman came up and kicked me in the back; then he took me to the station."

"I don't believe what you say. I think you were drunk."

"I was quite sober, and the inspector at the station himself said I wasn't drunk."

"Very good. I shall remand you till this afternoon, so that we can have the inspector here. If I find you've told me a falsehood, I shall send you to prison; if you've told the truth, you will be discharged."

(14) An old man with a thin, pale face, who was found drunk in Bethnal Green Road. (Not known.)

"Yes, I was drunk—very drunk, and I'm sorry for it."

"So am I. You are discharged this time."

(15) A villainous-looking man of about thirty.

"I found him drunk, sir," said the constable, "in Mount Street. There were about two hundred people around him, and he was causing a great commotion. This is the man, your worship, about whom the woman made an application this morning."

"Call the woman," I said.

Her name was called inside and outside the Court, but there was no response.

Addressing the prisoner, I said:

"Your wife has applied here this morning for a summons against you for brutally ill-treating her. Fortunately for you, she does not now appear. You are bound over in the sum of £10 to keep the peace for six months, which means that you had better leave your wife alone."

(16) A man who had been found drunk in High Street, Shoreditch. (Not known.)

"I had had a drop, sir, but not to say drunk. I knew what I was doing."

"Discharged."

(17) A respectable-looking man of about sixty. The constable deposed that the prisoner was intoxicated while driving a van, and that he fell from his seat into the roadway.

"Was the horse injured?" I asked.

"No, sir."

"What have you to say for yourself? Your case

is very different from that of the poor wretched creatures who have just been up before me."

"I wasn't used to a van, sir, having been in the habit of driving a cart, and I fell out."

"Do you deny being drunk?"

"I do."

Turning to the constable, I asked:

"Of course a doctor saw him at the station. Is that doctor in Court?"

"Yes, sir, the divisional surgeon; he is here."

This gentleman was sworn, and stated that the prisoner was undoubtedly intoxicated.

"You will have to pay a fine of five shillings," I said, "as well as the doctor's fee, being thirteen-and-six in all, or seven days."

(18) A brutal-looking young man with half-closed eyes.

"Shortly after twelve last night," said the constable, "I found the prisoner very drunk in Old Nichol Street. He struck me on the left side, and used foul language. I closed with him, and he kicked me, and tried to throw me. He is the leader of a bad gang in the district, and has been convicted before."

"Have you anything to say?" I asked the prisoner.

"Yes; it wasn't after twelve, it was before. I was standing around with my young lady's father, and this policeman came up and caught hold of me, and then hollered out 'Jack' to another policeman. Then he hit me."

"And I dare say he was obliged to."

"No, he wasn't, for I didn't touch him."

Another constable corroborated the statement of the previous witness, saying that he saw the prisoner strike his comrade on the "right" side.

"Look at that, now," exclaimed the prisoner. "There's lying for yer! One says it was the right side, and the other says it was the left."

"I dare say the police haven't time," I said, "when dealing with roughs like you, to see on which side a blow is struck. It's quite immaterial. Have you any evidence to call?"

"No," the prisoner replied, doggedly.

A number of previous convictions having been proved, I sentenced the prisoner to one month's hard labour.

(19) A man of about forty, with closely cropped hair.

"I arrested him in Commercial Street on Saturday night," said the constable. "He was shouting and hollering, and deliberately hit me in the chest. After I had taken him into custody he threw me on the ground and kicked me on the shins."

"I am very sorry," said the prisoner; "I lost my senses, and I didn't know what I was doing."

"Yes, but you assaulted the police, and it is my invariable rule, unless there are very strong extenuating circumstances, to pass a sentence of imprisonment for this offence. Eight days' hard labour."

(20) A respectably dressed youth of about eighteen, who was charged with being drunk and assaulting the police.

"He struck me first," said the prisoner.

Other constables having been called, who denied this statement, I passed a sentence of eight days' hard labour.

(21) A ragged old man, who was charged on the sheet with being drunk and disorderly, and with having broken the door of a shop in Old Ford Road. The owner thereof, who had given him into custody, did not put in an appearance, and the prisoner was accordingly discharged.

(22) A well-dressed and respectable-looking youth of about eighteen, who was charged with assaulting the police.

The first witness was a publican, who said :

"The prisoner was in my house at closing time, and would not leave. He was not drunk. I think he intended to have a bother with some friends outside. When I asked him to go out, he struck me on the side of the face."

"What have you to say?"

"We went to a bean-feast on Saturday," said the prisoner, "and I had a drop too much to drink. I had been a teetotaler for a long time before."

The constable who arrested him said :

"As I was taking him to the station, he kicked me and threw me. He then got away, and I ran after him.

He was caught by another constable, whom he struck in the face and also threw."

"I didn't know what I was doing," interposed the prisoner.

"That," I remarked, "is no answer from a man in rags, and it certainly is no answer from a man with a good coat on his back."

Confirmatory evidence having been given, the prisoner called his uncle, a carman, as a witness. The uncle said:

"I'm very sorry to hear about this. He's little more than a boy. I've never known him drink a drop of beer in his life. I always understood he was a teetotaler."

"Well," I said, "three separate assaults have been proved against the prisoner, and it would be a crying shame if I allowed him to go with a mere fine. How could I consistently send to prison the poor wretches who are brought before me day after day? Because the prisoner has a decent coat on his back, that is no reason why he should escape more easily than the others. His decent coat is no excuse—rather the reverse. I sentence him to twenty-one days' imprisonment with hard labour."

(23) A boy of about sixteen, somewhat "flashily" dressed. He was accused of gambling with cards in a public thoroughfare. When arrested, 2*s.* 5½*d.* was found upon him. The police stated that there had been frequent complaints in the neighbourhood in reference

to street gambling. I sentenced the prisoner to pay a fine of 5*s.* or go to prison for five days.

(24) Another boy, but badly dressed and looking very crestfallen. He was charged with gambling and playing pitch and toss. No money was found upon him.

"Five shillings or five days."

(25) Another wretched-looking youth, who was charged with the same offence; 10½*d.* was found upon him.

"Five shillings or five days."

(26) A bright-looking boy of about fourteen, who was charged with the same offence, and in whose pocket 7½*d.* was found.

"Five shillings or five days."

(27) Two boys, brothers, who were charged with the same offence. In the pocket of one of them 8*s.* 5½*d.* was found, and in the pocket of the other, 5½*d.*

"Five shillings or five days."

(28) Two more boys of about thirteen and fourteen were charged with the same offence. One had 1*s.* 6*d.* and the other 1*s.* 10*d.*

"Five shillings or five days."

(I should mention, in reference to the above charges of gambling, that I subsequently instructed my clerk that such of the prisoners as were unable to pay the fine were to be discharged at the end of the afternoon.)

(29) A tall, wretched-looking man, scantily clothed in rags.

The first witness, a police constable, said:

"Last Friday week I met the prisoner in the Commercial Road, and he punched me in the face, took away my whistle, and broke my truncheon. He was very violent and managed to escape. I did not see him again until last night, when I took him into custody."

"What made him assault you?"

"I don't know. There wasn't any reason. I think he must have mistaken me for some one else."

"Can you swear that this is the man?"

"Yes, I am positive."

Another constable stated that he saw a man running away from the last witness on Friday week, and that he was under the impression that the prisoner was that man.

The police inspector testified that the prisoner corresponded with the description given by the first witness on the night of the occurrence.

I asked the prisoner if he had any witnesses, and he called his daughter. She swore that her father came out of the hospital on the afternoon of Friday week, and that he spent the whole of the evening of that day in bed, suffering acutely from a wound on the head that had just been surgically treated.

I remanded the prisoner for three days, in order that the house surgeon of the hospital might attend.

(30) A respectable-looking mechanic, about thirty years of age.

The prisoner had severely assaulted his wife—according to the statement of a constable—but the woman did not appear to prosecute.

"Your poor wife," I said, "has not liked to come here to-day, because she knows that she will suffer if you are sent to prison. I discharge you, and I do so with great sorrow."

(31) An elderly man, charged with the same offence. The wife did not appear, and he was discharged.

(32) A tolerably well-dressed and intelligent-looking man of about thirty, who was charged with the same offence. In this case the wife did appear, carrying a baby in her arms. She said:

"We have been married eleven years, and we have four children. He has often assaulted me, and on Tuesday he gave me a terrible blow on the head. We had a judicial separation, but we lived together again, and now I want to have another separation."

"Why did you take him back?" I asked.

"Well, sir, he said it would be a lesson to him."

"What is the use of a lesson to a ruffian like that?" Then, turning to the prisoner, I continued: "Your wife was separated from you, but she has been fool enough to take you back; and you repay her kindness by beating her. You shall be imprisoned for one day. If I make it more, this woman will be the sufferer, and perhaps have nothing to live upon. You shall also be separated again, and you shall pay her ten shillings a week. But," I added, turning to the woman, "if you take him back again, you needn't come to me, for I shan't help you any more. You may have the order for nothing."

(33) A tall, elderly man, very raggedly dressed.

The first witness was a constable, and he deposed:

"Last night, shortly after twelve, I saw the prisoner come out of a warehouse in Commercial Street, and commence to run away."

"It's all a lie," exclaimed the prisoner from the dock.

"Hold your tongue, sir," I said. "You will have an opportunity of speaking afterwards."

The constable went on to say that he gave chase to, and captured the prisoner, who dropped a number of knives and forks.

I remanded the case for inquiries.

(34) A tolerably well-dressed young man of a low cast of countenance. The prosecutor, a bootmaker, said:

"I carry on business in Hanbury Street, Spitalfields, and I have a stall in Petticoat Lane. Almost every Sunday morning I have boots stolen from the stall, and yesterday two pairs were taken, and I saw the prisoner running away with them in his hand. I shouted out: 'Stop! bring those back!' He shouted in return: 'You should be more careful.' I gave chase, and a policeman caught him."

"Have you anything to say?" I asked the prisoner.

"Well," he coolly replied, "I did steal the boots, but let that pass. It was a temptation to me, leaving them on the stall like that."

"Three months' hard labour."

(35) An overgrown, pale-faced boy of about eighteen.

The first witness said:

"I am a bootmaker in the Old Ford Road. The prisoner came into my shop on Saturday, and said: 'I have called for the boots that had to be soled and heeled.' He added: 'Here they are,' taking up a pair that had just been mended. In the evening the real owner came, and the prisoner was traced and arrested."

The boy pleaded "Guilty," and hung his head.

Several previous convictions were proved against him.

"You will go to prison," I said, "for three months, and this is the last time you will be dealt with at a Police Court. Next time you will be sent for trial, and very likely get penal servitude."

(36) Three men, typical housebreakers. They were charged with breaking into the warehouse of a firm of wholesale clothiers in Commercial Street. The manager of the premises, who prosecuted, stated that they had got through the skylight at the top of the house, and that they gathered together property to the value of £150. They had tampered with the safe, smoked a number of cigars that were in the private office, and drunk a bottle of champagne that was five years old. "One of the prisoners had three pairs of trousers on, two being our property. There is a new building, sir, by the side of our warehouse, and they got in over the roof. We have been robbed three times, and this is the second time that an entrance has been effected in this way."

Several other witnesses gave corroborative evidence,

and a constable who helped to arrest the prisoners stated that one of them, on being taken into custody, said: "Ah, well, this is a fair cop." One of the other prisoners was caught trying to escape up the chimney. The third prisoner was not caught until afterwards. The police, who had been summoned to the premises, knew that three men were engaged in the "job," and accordingly instituted an exhaustive search. They ultimately found the third man in an area at the back, hidden behind some sacks. When the sacks were removed, he said: "All right, guv'nor; I'll surrender."

I remanded the prisoners for a week.

This concluded the business of the morning.

CHAPTER XXVIII.

LEGISLATION.

Royal Commissions—Mr. Ritchie's statement—Torrens' and Cross's Acts—A game of battledore and shuttlecock—The Shaftesbury Acts—Earl Compton's representations—A summary of the provisions of the new Act—Action of the London County Council—Its great Bethnal Green scheme—The rehousing question—An instructive incident—The future action of the Council defined—Some coroners' inquests—Stale, mud-stained bread—Observations by Mr. Wynne Baxter.

It may be as well, at this point, to consider what has been done and what is in contemplation, to remedy, or to attempt to remedy, the existing state of things in the East End.

Royal Commissions have been appointed to investigate the matter. To investigate—yes; but what has actually been done? The efforts of private individuals are, of course, mere drops in the ocean. What leading statesman has grappled with the evil—what leading statesman has given his mind to the solution of the problem? Has any real effort been made to remove these dens, which are unfit for men, which

are unfit for animals, to live in? People mourn over the improvidence, the drunkenness, and the crime of what we term the lower classes; but what can be expected when they are left to the corruption of places where cleanliness and morality are well-nigh impossible? Is it to be supposed that these poor creatures never think? Is it deemed possible that they are in such an abject state as never to ponder over the actual fact that, save in words, very little is done to help them? From my experience of the dwellers in the East End, I should say that Her Majesty has no more loyal subjects in her realm; but what is to be the end of things if these oppressed, down-trodden, and well-nigh crushed unfortunates discover that they are nobody's care, and that there is no hope of anything being done to lessen their misery?

Let us consider how legislation stands at present. In the early part of last year, before the passing of the amended and consolidated Housing of the Working Classes Act—about which I shall presently have something to say—Mr. Ritchie, the President of the Local Government Board, asserted that, provided only the vestries and the London County Council do their duty, ample powers exist for getting rid of insanitary dwellings and dealing satisfactorily with the whole question. I am inclined to agree with him. Certain it is that, during the past forty years, a great many Acts of Parliament have been passed in reference to the housing of the labouring classes.

By a statute passed in 1851, boroughs and local boards of health were empowered to erect buildings suitable as lodging-houses for the labouring classes, to adapt existing buildings to the purpose, and to enlarge, repair, and improve the same from time to time. Then there are the Shaftesbury Acts, which can be easily and cheaply applied, if the central authority is willing. They have been put in operation, for some considerable time past, in Liverpool, and, if the London County Council chose, they could be equally well applied to the metropolis.

It is but fair to add that the London County Council has begun to move in this direction; but its action has not yet borne fruit.

Under Torrens' Acts, the vestries can demolish rotten houses in small areas, and Cross's Acts of 1875 and 1879 give the central authority similar powers over wide areas. Thus isolated instances of insanitary dwellings could be removed, and whole districts of slums cleared. But the public has fallen between these two sets of Acts in the past. On the one hand the vestries said that the areas brought under their notice were too large for Torrens' Acts to be applicable; on the other hand, the Metropolitan Board of Works said that the areas were too small to come within the scope of Cross's Acts. And Londoners looked on passively at this game of battledore and shuttlecock, and meekly re-elected the vestrymen when the polling day came round!

Under the Shaftesbury Acts land can be taken over, the rotten buildings thereon demolished, and desirable dwellings for the poor erected in their stead. Ample borrowing powers are conferred, the money being obtainable at about two-and-a-half per cent. It is stipulated that the rooms shall be let at rents not exceeding two shillings a week. I am convinced that the provisions of these Acts might be applied to London without the rates being increased to any considerable degree.

In November, 1889, Earl Compton, M.P., chairman of the Housing of the Working Classes Committee of the London County Council, stated, at a meeting of that body, that the laws regarding the treatment of insanitary areas and the erection of artisans' dwellings in the metropolis were in a chaotic condition, and that it was the wish of his committee to approach the Government, with a view to seeing whether it would take steps to secure the amendment and consolidation of the existing legislation on the subject.

As a result of the action of the Council, an important amending and consolidating Bill was introduced into the House of Commons, under the joint auspices of the President of the Local Government Board, the Home Secretary, and Mr. Walter Long. Certain modifications having resulted from the passage of the measure through Parliament, it became law in August last.

By the Housing of the Working Classes Act, 1890, Cross's Acts, Torrens' Acts, and Lord Shaftesbury's

Lodging-House Acts are merged together. The statute is divided into three parts, and in summarising the new provisions affecting London, it will be as well to take these parts in their order. I may mention that I have found the alterations in the law very clearly set forth in a statement drawn up by the vice-chairman of the Housing Committee of the London Council.

Part I. is a re-enactment of the provision of Cross's Acts, with certain amendments, two of which are of special importance. In the first place, whereas, under the old law, it was requisite to show that the area either contained houses unfit for human habitation or exhibited an abnormally high death-rate, the new Act makes it a sufficient ground for official representation that the general condition of the area is injurious to the health of the immediate or adjoining inhabitants. The second amendment provides that, to use Mr. Ritchie's words, "no compensation whatever shall be payable in respect of profits derived owing to the premises being used by a larger number of people than they could legitimately be used by, or in respect of profits derived through the premises being used for any illegal purpose;" and it further reduces the amount of compensation by enacting that where the arbitrator (who will be appointed, as before, by the Secretary of State) is satisfied that the premises are unfit, and cannot reasonably be made fit, for human habitation, the sum payable shall be limited to the value of the land and materials.

The importance of these amendments, as tending to cheapen clearance schemes, is, of course, considerable.

In all districts of the County of London except the City, the Council is the sole authority for framing schemes under this part of the Act. The first step towards such a scheme is to be an official representation by a Medical Officer of Health, who may be required to report by two or more Justices of the Peace, or by twelve ratepayers. A provisional order has to be obtained from the Secretary of State, and it must be subsequently confirmed by Parliament. The scheme must provide accommodation, either in the area or its immediate vicinity, for all the persons of the working classes displaced, unless the Secretary of State sees fit to dispense with this obligation, which he may do to the extent of one-half the number.

Part II. of the Act takes the place of Torrens' Acts. It repeals the provisions in those Acts which enabled vestries to enforce works under specifications from owners of insanitary dwellings, and substitutes the closing-order of a magistrate (as provided by the Sanitary Acts), to be followed, if need be, by an order for demolition. The clauses of Torrens' Acts dealing with "obstructive buildings" are enlarged.

The complicated machinery of the old Act of 1868 is all done away with, and the law now makes it the absolute duty of the Medical Officer of every district to report to his local authority any premises unfit for human habitation. It also makes it the duty of all

local authorities to cause periodical inspection of their districts, for the purpose of seeing whether any houses are so injurious to health as to be unfit for human habitation. Where such is the case, the local authority is bound to serve a notice on the owner, who has then to find out for himself what works should be done; and if they are not done by a stated time, the local authority is bound to apply to a magistrate for a closing-order. Within seven days of the issuing of such order, the premises must be vacated. The magistrate is also authorised to impose a penalty up to £20. If not satisfied with the existing state of things, the local authority may make an order for demolition, which is to be obeyed within three months. An appeal against this order will lie to the Quarter Sessions.

The "obstructive buildings" clauses in the Act are of considerable importance. Local authorities will now be able to purchase houses for the purpose of opening out small courts and alleys, without it being necessary for them to prove that such courts are actually unfit for human habitation. An appeal will still lie to the Quarter Sessions, but, subject to that appeal, the power of purchase is made compulsory. Although owners have the right preserved to them of retaining sites, no building is to be erected which would affect the object sought. Part of an obstructive holding may also now be taken over where the whole is not required.

Clauses 39 to 41 of the Act have been framed so

as to enable the Council, concurrently with the local authorities, to deal with areas too small for the application of Cross's Acts.

"Briefly," to quote from the summary of the Act to to which I have alluded, "the law now provides that whenever a local authority finds it desirable that there should be an improvement scheme for an area too small to be properly dealt with under Part I. of the Act, it is to frame one, which need not be published like a larger scheme, but notice of which must be served on the owners, and sanctioned by the Local Government Board (instead of a Secretary of State, as in the case of a larger scheme), and if an agreement is then come to with the owners for the purchase, or if no petition is presented to the Board within two months of its order, the scheme may be carried out without Act of Parliament. The Local Government Board is bound to require provision for the accommodation of the working classes displaced, but the amount of such accommodation is made entirely discretionary with the Board. The compensation payable when compulsory power is exercised will be governed by the same rules as those laid down for large areas in Part I. of the Act, with the addition that the arbitrator is to have regard to any increased value given to other property of the same owner by the operation of the scheme. The arbitrator, in the case of these schemes, is to be appointed by the Local Government Board, and there will be no appeal to the High Court from his award, as in the case of a large scheme."

There is unfortunately no definition in the Act of what is meant by an area too small for the application of Part I. Sections 72 and 73, however, enact that, in any case where not more than ten houses are included in a representation under Part I., the area is to be dealt with under Part II.; and it is provided that, when the Council and a vestry cannot agree as to the part under which proceedings should be taken, the matter is to be referred to the Secretary of State, who is to appoint an arbitrator.

Part III. deals with lodging-houses, reproducing the provisions of Lord Shaftesbury's Acts without any material alteration.

Probably the most important enlargement of the law is the authority given to the Council to institute, of its own accord, after a month's notice, proceedings under Part II. The local authority has to pay the costs incurred (including compensation), unless, in the case of an order for demolition, the same are disallowed on appeal. The central authority is also given concurrent powers with the vestries to promote and carry out the small-area schemes.

In order to facilitate the exercise by the Council of its newly acquired powers, the vestries and district boards are compelled to supply it with copies of all representations, complaints, closing-orders, etc. that they receive.

The remaining important provisions of the Act may be briefly indicated. Vestries are empowered to borrow, and the Council to lend, the money required to effect

the improvements. Special rates can be levied to defray the cost of demolitions, and the "betterment principle" can be applied in regard to property improved by a scheme under Part II. Reasonable compensation may be paid to tenants, less than yearly ones, for expenses involved in removal. Members of vestries or councils interested in premises with which it is proposed to deal, are prohibited, under a penalty of £50, from voting on the question.

The new Act is undoubtedly a very important one, and, as Lord Compton's committee have stated, "if it is put into force in a determined spirit, much improvement may be effected in the insanitary property which unfortunately exists in many parts of London." However, no one pretends that the statute is perfect. Many objections to it are already known, and it is probable that more will reveal themselves in the process of time.

The London County Council has already commenced to move under the new Act. On the 28th of last October, Lord Compton brought up an important recommendation from his committee. It was, in effect, that an insanitary area of fifteen acres, situated mainly in the parish of Bethnal Green, should be cleared.

In support of their recommendation, the committee produced some very weighty facts and figures. They stated that, in the area, there were 2,118 persons occupying 752 single rooms; 2,265 occupying 506 two-room tenements; and 1,183 occupying 211 tenements of three or more rooms. The area comprised

730 houses, of which 652 were occupied wholly or partly by persons of the labouring class. The remaining 78 houses consisted of 12 public-houses and beer-shops, 21 shops and factories, 2 registered lodging-houses (containing 153 beds), and 43 empty houses. Of the population of 5,566 persons, 3,370 were adults, and 2,196 were children. Among the adult workers to be displaced there were 157 labourers, 128 hawkers, 122 general dealers, 117 cabinet-makers, 29 market porters, 27 carmen, 27 washerwomen, 72 shoemakers, 2 cats'-meat sellers, 11 charwomen, 3 milkmen, 24 costermongers, 2 hairdressers, and 5 policemen—to select a few figures from the list. Statistics proved that whereas the average annual general mortality in Bethnal Green as a whole, between the years 1886 and 1888, was 22·8 per thousand, it was, in the same period, 40·0 per thousand in this particular area. Again, whereas, in the period specified, the deaths from tubercular and similar diseases were 3·9 per thousand in Bethnal Green as a whole, the proportion was 8·5 in this area. Figures were also given which showed that, for every three children under one year of age who die in the entire parish, five die within these fifteen acres.

Undoubtedly the committee made out a strong case, and it is not surprising that the Council decided to carry out the scheme.

It was estimated in the report that the total cost of the improvement would be £300,000; but Lord Compton, and other members of the committee, held

out the hope—on what appeared to be good grounds—that this figure would prove to be overstated.

Of course the great difficulty will be the question of rehousing. The hateful practice of past years has been to turn the people out, leaving them to find new quarters as best they can; and then very leisurely to rebuild. Of course the consequences of this are obvious. Rents go up in the neighbourhood, and the overcrowding already existing there is intensified.

The magnitude of the present scheme makes the rehousing question in this case of special importance. As many as 5,566 persons are to be displaced, and if new homes are not found for them, incalculable mischief will be done.

I am delighted to see that the Council appears to be fully alive to the necessities of the case. To begin with, it has wisely resolved to proceed with the scheme in sections, dislodging only a limited number of persons at a time. Moreover, it has given a practical proof of its intention to do the right thing, as I will show.

In the vicinity of the area is a site admirably adapted for the purposes of artisans' dwellings, and, as such places are few and far between in the district, Lord Compton and his committee have for some time had a jealous eye upon it. The other day they learnt that the owner had received a very satisfactory offer for the land from certain persons desiring to acquire it for commercial purposes." What was to be done? Was the site to be sold in this way, or was the Council

to step in and become the purchaser? Looking the matter boldly in the face, and undeterred by the fact that the great scheme has not yet received Parliamentary sanction, the committee brought up an urgent recommendation that the land should be at once acquired by the Council, in order that hereafter it might be utilised for rehousing the persons to be displaced.

As luck would have it, the Council adjourned the consideration of the matter for a week, and in the interval a fact came to light which rendered it unnecessary for the contemplated step to be taken. The private individuals who desired to become possessed of the property explained that, in saying they sought to acquire the land for "commercial purposes," they meant that they proposed to erect artisans' dwellings thereon. "Under those circumstances," said Lord Compton, in effect, "of course we need not proceed in the matter; for the houses they propose to build will serve our purposes as well as the houses we proposed to build;" and the recommendation was at once withdrawn.

I have alluded to this incident merely to show that the authorities at Spring Gardens appear to have made up their mind to grapple loyally with the rehousing difficulty, and not to follow evil precedents.

On January 13th in the present year, Lord Compton and his committee presented to the Council a report, giving the mature conclusions to which they had arrived in regard to the new Act.

The report dealt firstly with "houses unfit for

human habitation." In this connection the committee recommended that the policy of the Council should be as follows: to require all needful information to be furnished, and having obtained that information, to closely watch the subsequent proceedings; to study the results in the several districts of London, to learn whether the needful remedies are being applied, and, if satisfied that there is default, then, but not till then, to cause the statutory month's notice to be given of intention to apply for a closing-order. With a view to facilitate the prompt and regular transmission of information to the Council, and of securing uniformity, the committee have caused tabulated forms to be prepared, which they purpose issuing to the district authorities.

As to "obstructive buildings," practically the same method of procedure will be applicable. The committee pointed out that it is not clear how far the clauses of the Act dealing with this branch of the subject will operate. In some cases, a reconstruction scheme following upon a demolition order may best meet the case, whilst, in others, proceedings under the obstructive buildings clauses may suffice alone.

In regard to "improvement schemes for clearance under Part II.," a very important question is, whether any general principle could be laid down, for the guidance both of the Council and the vestries, as to which authority should carry out such schemes. Speaking generally, the committee think that, in all cases where

a contribution is made by the Council towards the expense of a scheme, the work should, whenever practicable, be carried out by the Council.

In this connection it may be stated that the committee have decided to submit certain areas for consideration, as suitable subjects of schemes under Part II., with a view to their being initiated and carried through by the Council, on the contributory principle. The report was adopted by the Council.

Thus it will be seen that the central administrative authority for London is moving in this matter, and does not intend the new Act to remain a dead letter.

Turning from the cure to the evil, it may not be out of place to direct attention for one moment to the Coroner's Court, where much important evidence is taken as to the deplorable condition of the East End.

In the first place let me refer to two inquests held one day in the present winter, namely, the 27th of December. At the Vestry Hall, St. George's-in-the-East, an inquiry was held respecting the death of Emma Mills, aged sixty-one. The husband of the deceased stated that she had been ailing for a year past, though she had never actually taken to her bed. On the previous Monday she became suddenly worse and died. She had had no medical attendance during the past five years. The witness explained that he was so old and weak that he had been unable to obtain anything like regular work for some time past. On the day of his wife's death, however, he managed to earn 1*s.* 6*d.* at

the river-side. The deceased had made a little money by fur-sewing, and between them they sometimes managed to scrape together 10*s.* a week. Out of that sum they had to pay half-a-crown as the rent of their one room. They had no friends to assist them, and had never had any outdoor relief from the parish.

A doctor deposed that he attended the deceased at her death. He said the room was in a wretched state. It contained an old table and two or three chairs, some without legs and others without seats. There was no bed or bedding in the room; the dying woman was lying on some rags and sacking on the floor. The only food in the room was a few pieces of stale bread. They were covered with mud, and had evidently been picked out of the gutter.

The jury returned a verdict that the cause of death was bronchitis, accelerated by want and miserable surroundings.

Commenting on this case, *The Daily News* said: "All that can possibly be said about such horrors has been said a thousand times; has all that can possibly be done been fairly attempted in a single case?"

At the close of the inquest another was held in the same building, on the body of Walter Turner, aged eighty-two, formerly an engineer. The widow deposed that her husband complained of pains in his chest on Christmas Eve, and died before a doctor could be called in. The deceased, who had been blind for some years, had a pension of £5 a year; and this paid the rent. She

herself earned about half-a-crown a week, upon which they lived. "I do not want much to eat myself," said this poor creature, "and I live on a piece of dry bread a day." A doctor deposed that death was due to syncope, and a verdict to that effect was returned. Before dismissing her, the coroner gave the woman half-a-crown to buy some food with.

In the month of February of last year, a terrible picture of misery was presented by the evidence given at an inquest that took place at the Vestry Hall, Bethnal Green. An inquiry was held into the circumstances attending the death of William and Sarah Earwaker—the former aged seventy, and the latter, his wife, aged fifty—who, it was stated, had died from destitution at their home, a room in Lisbon Buildings, Lisbon Street, Bethnal Green. The old man was, it appeared, bedridden, and the woman had earned what she could by mending umbrellas. A neighbour stated that she had visited the room on a recent occasion, and that, seeing the destitute condition to which the couple were reduced, she had suggested that they should go to the workhouse. That night, however, they both died. They had resided in this room for about four or five months, paying 2*s.* 3*d.* a week rent. The same witness stated that she visited the room some days previously, and found the old man and his wife so ill that she at once went to the relieving officer. He returned with her to Lisbon Buildings, and was so affected by what he saw that, after making an order for the

attendance of a doctor, he gave the old couple a shilling out of his own pocket. The neighbour herself had, it appeared, previously given them sixpence to buy milk with.

On the arrival of the parish doctor, he directed that stimulants should be administered. This was done, but at five o'clock on the following morning the old people were discovered, lying side by side, quite dead. A terrible description was given of the insanitary condition of their room.

In the same week an inquest was held at Poplar upon the body of a stevedore named Lamb, who had resided in Gavarock Road.

The widow stated that her husband had not been in good health since Christmas. He had been out of work, and had been gradually sinking for want of food. He had had no medical attendance, but for some time past had been endeavouring to get sufficient money to pay his railway fare to the Royal Free Hospital.

On being questioned, the woman said that they had never applied to the parish for relief, having been afraid that she and her husband would be ordered into the workhouse, and there separated. She herself had earned a few pence now and then by charing, and she had raised what little money she could at the pawnshop. One morning, having scraped together a few pence, she went out to buy some eggs and milk for her invalid husband, but, upon her return, she found him lying on the floor—for they had no bed—dead.

When the verdict had been returned, one of the jury remarked :

"And this is only a sample of what is going on every day around us."

The coroner in this case, Mr. Wynne Baxter, a few days afterwards held an inquest into the circumstances attending the death of a dock-labourer, aged fifty-three, who had resided at 231, High Street, Shadwell. The deceased, who was only a casual hand at the docks, had a family of four children—the eldest being thirteen and the youngest three—dependent solely upon him, his wife being confined as a lunatic in the asylum at Banstead.

Strangely enough, the poor fellow had been unusually fortunate in obtaining work just before his death. His services were engaged on the Monday and also on the Tuesday. During the morning of the latter day, he complained to a fellow-workman of considerable pain, and on going to receive his pay at six o'clock that evening, he suddenly fell down in a fainting condition. His comrades carried him to the hospital, but on their arrival there, life was pronounced to be extinct.

A *post-mortem* examination was held, and the house physician stated the conclusions to which it had led him. The cause of death, he said, was syncope, due to want of food, there being no trace thereof either in the stomach or intestines.

Evidence was given to the effect that the children had some food on the Monday evening when their father

came home from work; and the jury, in returning their verdict, expressed the opinion that the deceased had starved himself to death to feed his little ones.

Another inquest, held at about the same time, was that on the body of a man named James Ellis, of 12, Eastwood Street. The widow deposed that her husband, who had always been an industrious and able-bodied man, had fallen ill, and been unable to do any work for a considerable period. He had not been seen by a medical man during the whole of his illness. On the previous Thursday, finding that he was "light-headed," she went out in search of the parish doctor; but before that gentleman arrived, her husband died.

It transpired that this poor woman, during her husband's illness, had struggled bravely to support him and their family of little children. Her earnings, when she was fortunate enough to get work at all, were about two shillings a day. She stated that she had been unable to get any aid from the parish, though her husband had been before the Board on two or three occasions. This poor woman went on to say that she had often been unable to satisfy the hunger of her sick husband. The food of the entire family consisted of bread, with occasionally a little butter.

The room in which the deceased lived was in a deplorable state, and the medical officer of health stated that the house had been condemned some eighteen months before, but that no steps had been taken to remove the tenants.

A juryman observed that, in his opinion, the existing system of outdoor relief was rotten to the core, and that the sooner it was altered the better.

At the end of the inquiry the coroner observed:

"It is a pity that these inquests are not held in Eaton Square, so that the rich of the West End might see how the poor of the East End live and die. I have held four inquests to-day, and, in each case, death has been accelerated by starvation and destitution."

CHAPTER XXIX.

SOME CAUSES OF THE EVIL.

Drunkenness—A three months' return of charges—Laziness—"Season-ticket holders"—Thriftlessness—An Englishman's want of resource—The failings of the women—Town poverty of country origin—The immigration of pauper foreigners—Persons dislodged by street improvements—Desirable removals—The sites of insanitary houses—Model dwellings—The necessity for providing decent homes for costermongers—Why remove the dirt?—Working-class estates.

One of the most fruitful causes of squalid homes is, undoubtedly, intemperance. Thousands of working men earning, when employed, from twenty to thirty-five shillings a week, spend quite a fourth of their income on drink, and as the wife is almost sure, sooner or later, to help consume it, it is obvious that the home must be neglected.

In addition to the cost of the drink, there is the waste of time it involves. Hours are spent at the bar which should be employed, by the man, in nailing down a board, plastering a hole in the wall, or mending a window, and by the woman, in attending to the children and making the little home clean and tidy. The consumption of drink causes a scarcity of food; it corrupts the mind and weakens the body; and, in a great many instances,

it involves an appearance before me or one of my brother magistrates.

I have drawn up the following table, showing the number of charges of drunkenness that were brought to the Thames Police Court on Mondays and Tuesdays during a period of three months, namely, December, 1889, and January and February, 1890:

Date.	Men.	Women.	Total.
1889—Dec. 2nd ... Monday ...	17	8	25
,, 3rd ... Tuesday ...	4	7	11
,, 9th ... Monday ...	11	5	16
,, 10th ... Tuesday ...	5	4	9
,, 16th ... Monday ...	9	4	13
,, 17th ... Tuesday ...	6	4	10
,, 23rd ... Monday ...	9	4	13
,, 24th ... Tuesday ...	4	7	11
,, 30th ... Monday ...	12	5	17
,, 31st ... Tuesday ...	4	1	5
1890—Jan. 6th ... Monday ...	9	5	14
,, 7th ... Tuesday ...	2	4	6
,, 13th ... Monday ...	7	7	14
,, 14th ... Tuesday ...	4	8	12
,, 20th ... Monday ...	10	8	18
,, 21st ... Tuesday ...	6	7	13
,, 27th ... Monday ...	8	8	16
,, 28th ... Tuesday ...	11	10	21
Feb. 3rd ... Monday ...	12	5	17
,, 4th ... Tuesday ...	3	3	6
,, 10th ... Monday ...	15	9	24
,, 11th ... Tuesday ...	6	8	14
,, 17th ... Monday ...	10	11	21
,, 18th ... Tuesday ...	8	8	16
,, 24th ... Monday ...	14	9	23
,, 25th ... Tuesday ...	9	5	14
Totals	215	164	379

It will be understood that these figures do not include charges attendant on drunkenness. They represent merely those persons who were charged either with being drunk and disorderly, or drunk and incapable. I am quite within the mark when I state that, except upon the days when School Board summonses are taken, the number of persons charged with offences resulting from intoxication would constitute more than one-half of the total charges heard.

The working man commences by "liking his drop," and then, travelling rapidly down the easy descent, he becomes the habitual drunkard, the wife-beater, and the outcast of whom there can be very little hope.

Another cause of distress and poverty is undoubtedly to be found in labour disputes and injudicious strikes. Trade-unionism, rightly applied, I by no means disagree with; but, in many cases, strikes bring a terrible punishment upon those taking part in them. It is too often forgotten that the strike is the *ultima ratio*. In nine cases out of ten men are found, either from the country or from abroad, to take the place of those who are "out."

Of course, laziness is responsible for much of the poverty. Some men are for ever loitering about. If you inquire as to their condition, they will always tell you the same story—they are "looking for work, but can't find any." Yes; looking for work outside a public-house. Is it surprising that the quest is unsuccessful?

I am, of course, speaking now of the habitual loafer, and not of the industrious working man. The latter, also, I am well aware, is frequently on the look-out for work that he cannot find. There are some persons who say that an honest, able, and industrious man can always obtain work if he strives to do so; but this I deny *in toto*.

A Police Court is daily crowded with idlers. Some come inside and take their stand in the space set apart for the public; others loiter in the corridors, or on the pavement outside the building. Somehow or other the Court seems to have a powerful attraction for them. At Worship Street, certain lazy rascals are to be seen every day the Court is held, from one year's end to the other. They have been dubbed "season-ticket holders." I do not believe a shilling an hour would tempt these worthies to do an afternoon's work.

An ignorance of the most elementary principles of thrift is responsible for much misery, and, in my judgment, many families have to starve simply because the bread-winner has not received such a training as would enable him to employ his industry outside the limited area of his own particular trade. A polisher can polish, and do nothing else; a chair-caner can only cane chairs; and so on. Should the trade of either become suddenly bad, the worker is thrown upon his beam-ends. He has no resources to fall back upon.

It is in this respect that the foreigner has the advantage over the Englishman. A German polisher

can drive a nail, handle a trowel, carry a parcel, or do any little work as a "handy man"; and, consequently, as a rule he does not remain idle long. Moreover, many foreigners, when out of work themselves, will help their wives at the wash-tub, or go down on their knees and scrub the floor. They will do anything rather than stand idly by while their wives toil. But how different is the Englishman under similar circumstances. He will loll on a chair, smoking the tobacco that has been bought with his last penny.

The women themselves are by no means blameless. There is an enormous amount of intemperance in their midst, and many of them are the indirect cause of intemperance in their husbands. When a man, after a hard day's work, comes home to wretched meals and to a room that is like a pig-sty, is it a matter for surprise that the habit grows upon him to visit the public-house and the dancing saloon? Then, too, there are many wives of working men who cannot mend a pair of socks or put a button on a shirt, to say nothing of making the children's clothes.

I have not alluded in any way to the sexual immorality that exists in the East End; nor is it necessary for me to do so. What I have said in reference to drink applies also to vice, for they are twin sisters, and seldom long apart.

A great deal of our town poverty is no doubt of country origin. The difficulty and expense of land-transfer prevent small farmers acquiring their holdings.

Land is now only bought by large capitalists, who do not find sufficient work for the populations of the agricultural villages. The men therefore leave their spades and ploughs, and come up to town, where they obtain employment as carmen, railway servants, police constables, etc., thus, to a considerable extent, swamping the London labour market.

The countryman coming up to London does not sleep two consecutive nights in one place until he reaches Stratford, Whitechapel, Holloway, Notting Hill, Southwark, or some other kindred district. A large proportion of the men hailing from the provinces become habitual tramps, and thus complicate the problem of the housing of the town poor.

The migration of pauper foreigners has been largely instrumental in bringing about the present overcrowding in London, and this is a matter which must sooner or later receive legislative attention.

Many of the great street improvements that have been carried out in the metropolis of recent years have dislodged whole colonies of the poor, and the result has been that the evicted families have taken up their quarters in neighbouring districts, the condition of which has thus been made much worse than before. The truth is, the labourer must live in the immediate neighbourhood of his work. The dock labourer cannot live at Forest Gate, and the Billingsgate porter cannot reside at Norwood. In spite of heavy rents and bad accommodation, he must remain close to the scene of his daily labours.

The large breweries — such as those of Messrs. Truman, Hanbury, and Co., and Messrs. Charrington and Co.—and the almost equally large distilleries, draw numbers of work-people to the districts in which they are situated. Thus a brewery or distillery occupying two acres of ground, requires at least two acres more for the accommodation of its employés and those dependent upon them. So, of course, in the case of match-factories, gas works, oil mills, candle and soap works, and many similar centres of industry. What a splendid improvement would be effected in the condition of the East End if these works were removed a little way out of London. Of course the employés and their families would go too, and the congested districts of the East End would be greatly relieved. And why should not this be done? Of course there are certain centres of industry that could not be shifted, notably the docks and the railways; but why a distillery or an oil mill could not be established just as well at Enfield as at Whitechapel, I, for the life of me, cannot see.

Moreover, much valuable space would be saved if institutions like the St. Luke's and other asylums, St. Bartholomew's Hospital, and a number of almshouses, prisons, and workhouses, were removed a little way into the country. Certain it is that the change would be very much to the advantage of the inmates of those institutions.

It is true that tradesmen would at first be inconvenienced by many of the removals I have suggested;

but, in the end, they would be recouped, for the better-housed poor would bring to their tills a portion of the money that now goes to pay the exorbitant rent of the landlord.

When insanitary dwellings are destroyed, the sites are often left vacant for years, the freeholder not caring to let them except on his own monstrous terms; and, by our present law, which certainly needs alteration, he contributes nothing to local taxation during the time that he is thus holding his property to enhance its value. At the most, he loses a year or two's rent, but he knows full well that the loss will be more than made good afterwards. At the end of, say, five years, there is a land famine in the district, and then, of course, he gets his own terms.

True, in the case of many cleared areas, and notably those in Gray's Inn Road, model dwellings have been erected for the accommodation of the persons displaced. But it must be borne in mind that many of the poorest class cannot live in such establishments. To begin with, in many cases the rents are too heavy. Three-and-threepence is charged for a single room; four-and-six or five-and-six for two rooms; seven-and-six for three; and ten or eleven shillings for four. These are the usual rates, but they are beyond the means of many, or rather, I should say, by dint of patient searching, the very poor are often able to find other—though, of course, much inferior—accommodation, at a slightly lower rental, in the cellar or attic of some tumbledown tenement house.

The great height of these buildings is also found to be a serious drawback to them. The housewife, who is probably ill-fed and feeble, has to be in and out a great deal during the day, and she is greatly fatigued by the number of stairs she has to climb in order to reach the upper floors.

There are certain restrictions laid down by the owners of model dwellings that involve the exclusion of a large class of working people. Thus boot-making, machinery, and other noisy vocations cannot be pursued on the premises, nor are those eligible for admission who, like the costermongers, require to store in their rooms the goods they sell to obtain a living.

In none of these buildings, so far as I am aware, is proper accommodation provided for the stock-in-trade and means of conveyance of the costermonger. The matter seems to have been entirely overlooked, even in blocks erected in districts where whole colonies of such persons have been displaced.

In spite, however, of the drawbacks to which I have referred, many of the model dwellings have been eminently useful. In one respect particularly have they been of service. Owing to their size, they have accommodated about three times the number of persons who originally lived on the site, and thus, the pressure on the surrounding slum property having been diminished, rents have fallen.

What is needed in reference to model dwellings is that the area of their utility should be enlarged.

Blocks must be erected wherein the cobbler, the machinist, the street seller of flowers, the gutter merchant, and, above all, the costermonger and hawker, can find a home. Not only must such persons be admitted, but special arrangements must be made for their reception. It should be no longer absolutely imperative for them to take up their quarters in the infernal tenement-house, where the passages are dark and damp, where the ash-pit is under the stairs, where piles of filth are to be found in the rooms and on the landings until noon or later, and where the floors are rotten, the windows broken, and the roof full of holes. In such places, at the present time, are huddled together coal-heavers, charwomen, pickpockets, shoeblacks, prostitutes, and costermongers—the chaste and the filthy, the honest and the thievish, the lazy and the industrious, the dirty and the clean—though of the latter, I am bound to admit, there are but a few.

Enter a horrible den of this description, and remonstrate with one of the inmates as to the dirt and filth around her, and what reply do you get? "Why should I wash my stairs when my overhead neighbour goes and spills her pail over them the next minute, and when the filth from her stairs will at once be trodden over mine?" Why, indeed?

Many persons will be surprised to learn that the costermongers store their goods by night in their living-rooms. They have no other place for the

purpose. Fruit, fish, and vegetables are stacked in a corner, or under the bed.

The blocks of dwellings ought to be provided with stables for the costers' donkeys, sheds for their goods, shelters for their barrows, and troughs for them to wash their vegetables in. Surely this is not an extravagant proposal. I am not demanding patent leather shoes and turtle soup for the coster. All I suggest is that a small but useful class of the community should be able, if they so wish, to live in decency. For the costers undoubtedly are a useful class. Not having to pay the rent of a shop, they are able to sell food at a cheaper rate than other tradesmen; and among the very poor there is all the difference in the world between two bloaters for a penny, and one.

In regard to the management of the existing blocks, I am sorry to say that in some instances there has been a great falling away from the arrangements originally set on foot. Some time ago I visited a model dwelling and found that it was filthy in the extreme. The passage windows had disappeared, woodwork and all. Water was laid on on every floor, but all the rooms smelt most unpleasantly. The roof was sound, and that is about all that could be said in favour of the building.

Some working men are able to live a little way out of town, where their wives and families can enjoy sweet air and pleasant surroundings. For such fortunate toilers, Shaftesbury Park, Noel Park, Bowes Park, and

Queen's Park are admirably adapted. The railway companies issue workmen's tickets at very cheap rates; and thus the men can easily pass to and from the scene of their daily labours, even if it is in the heart of London.

Would that a larger proportion of our working population could live on those charming little estates!

CHAPTER XXX.

EAST END "DOSS HOUSES."

Lodging-house inspection—By day and by night: a contrast—Where the extra bedding is stored—The deputies—Dirt and vermin—Charges—The *habitués* of "doss houses"—Victimising drunken men—The foreigner and his assailants—Deadly refreshment at exorbitant prices—Lodging-houses as receptacles for stolen property—Structural defects—The danger in case of fire—Victoria House: a respectable establishment—Six excellent rules—Bogus clubs—Disgraceful proceedings on the premises—A police raid.

In the Worship Street and Thames police districts there are something like three hundred lodging or "doss" houses, all of which are managed by persons called deputies. The number of these establishments in the Worship Street district is one hundred and twenty-seven, and they afford accommodation for some six thousand persons.

Each lodging-house is visited once a week, in the daytime, by a lodging-house sergeant. As a matter of fact he might just as well stay away. His time for coming is perfectly well known to the deputy, and everything is put into apple-pie order before

he arrives. The beds are made, the slops emptied, and the rooms cleared, tidied, and dusted. The whole inspection is a farce. The officer just walks through the rooms, or some of them, without scrutinising the domestic arrangements, and it is seldom that he reaches the top of the building. It would be impossible for one man to properly inspect so many houses.

It is an infamous thing that the official visits are never paid at night. That would be the only time when overcrowding could be detected. As a matter of fact, overcrowding is the general practice, but it is never formally discovered, and, consequently, those responsible are never punished. Every house is restricted to a certain number of inmates, according to its size, and when the sergeant pays his visits he counts the beds, and finds that the total tallies with the prescribed limits as to accommodation. Yes; but if he were to chance to drop in one night, what a different state of affairs would reveal itself. He would find, in each room, some half-dozen, or dozen, more beds than had met his eye in the daytime, the additional ones being made up on the floor. It is, indeed, not infrequently the case that a lodging-house affords accommodation to as many as fifty persons in excess of the legitimate number.

Most of the lodging-house owners occupy private residences in the neighbourhood of their property, and there it is that the extra beds and blankets are

stored during the day. They are fetched away the last thing at night, and brought back early in the morning.

Owing to the overcrowding and the insufficient ventilation, the atmosphere of the common lodging-houses becomes terribly fetid and impure.

My readers may, perhaps, like to hear who the deputies are. Most of them—women as well as men—are on ticket-of-leave, and are utterly without character.

It often happens that the lodging-house is sub-let to the deputy by a man who owns many such establishments, and who reaps a golden harvest in his rents. Many of the deputies, however, are merely the servants of the owner, and in receipt of a regular weekly salary.

A great number of these houses are anything but clean. There are certain conditions as to whitewashing, etc., that have to be complied with, but they do not necessarily ensure cleanliness.

Latterly, public attention has been drawn to the condition of the "doss" houses, and the result has been that the authorities have been a little more vigilant than heretofore, and certain cases have been brought before me at Worship Street. The other day an inspector of police—not the visiting sergeant—told me that he had found the condition of one of these houses disgusting in the extreme. "The place," he said, "was swarming with vermin, large

blocks of creeping things having been taken out from the walls and ceilings. The bedsteads and bedding were also swarming with insects, and disgusting in the extreme."

The charge for a single bed is fourpence, and for a double bed eightpence, per night—a price that ought, at any rate, to ensure cleanliness. But who cares? Nobody, so long as the takings for the night are up to the average, and a good round sum finds its way into the pockets of the owner at the end of the week.

It is absolutely necessary that these houses should be honestly and adequately inspected. Very few persons besides the unfortunate "dossers" themselves understand what beastly and degrading conditions exist in the common lodging-house. A few years ago, one or two gentlemen of the Press—and notably Mr. James Greenwood, of *The Daily Telegraph* — disguised themselves as tramps, and visited some of these dens; but I question whether they remained there long without being detected, either by the deputy or the "dosser," and whether they actually saw things at their worst.

The *habitués* of the "doss house" are a varied class. Some have been loafers, and more or less disreputable characters, all their lives, while others have once held good positions, and been reduced by drink or other causes.

The houses for single men are frequented mainly

by thieves and vagabonds of every description. There are also to be found there broken-down tradesmen, decayed gentlemen, and a good sprinkling of the Eccles type, lazy and good-for-nothing, yet for ever reminding you that they have "seen better days."

The houses for "doubles" are admittedly nothing more nor less than brothels. They are frequented by the class that Dickens had in his mind in describing "Mr. Fagin's lads," and their companions are the girls who prowl about Spitalfields and Bethnal Green, on the look-out for drunken or half-drunken men, whom they plunder, either in the streets with male assistance, or in the lodging-house. The deputy asks no questions on admitting them, though he may have seen the same woman repeatedly enter the building with different men, and though he may know her real paramour as an inmate of the house.

The woman takes her intoxicated companion upstairs, and at once, either single-handed or with the assistance of accomplices, strips him of everything he possesses. He is then violently ejected, sometimes without his clothing.

Several cases of this kind have come before me during the past six weeks. In the most recent one the prosecutor was a foreigner. He stated that he had been accosted by a woman in the immediate neighbourhood of Finsbury Square, and that he went with her to a public-house. While there, two men entered, and he saw some signs pass between them and his com-

panion. He afterwards went with her to a lodging-house in Spitalfields, and, though drunk at the time, he remembered paying the deputy and going to bed. Very soon the two men who had been in the public-house made their appearance, and, with the assistance of the woman, robbed him of all his money, stripped him to his trousers, and kicked him out into the streets.

I remanded the case for the attendance of the deputy, and, upon that individual making his appearance, he said that he perfectly well remembered the foreigner and the woman coming to his house on the day of the alleged outrage. He, however, solemnly swore that he heard no disturbance, and that he was quite ignorant of a robbery having taken place. On my questioning the witness, he admitted that he was a ticket-of-leave man, and had been sentenced to ten years' penal servitude.

In another case, a woman named Hawks, aged eighteen, and a man named Fordam, were charged with assaulting and robbing a Scandinavian sailor. When drunk, he was taken by the woman to a common lodging-house in Flower and Dean Street. A police-man, who had followed the pair to the door, happened to linger outside the building. In a few minutes he heard a cry of "Help!" and entered the building just in time to see the sailor thrown downstairs minus his trousers.

The deputy, a woman named Margaret Brown,

stated that the house was owned by a man named Coates, who kept a chandler's shop in Dorset Street. The lodging-house contained nineteen double, and seven single, beds. The witness said she remembered admitting the sailor and the woman, and receiving eightpence from the former for a double bed. She knew the woman very well as a regular frequenter of the house. On being questioned by me, the witness stated that she had heard the prosecutor had been attacked on the premises by four men, but that she did not know who they could be. As far as she knew, the sailor was the only man in the house at the time.

"What wages do you receive?" I asked.

"Six shillings a week," she replied, "and I am in sole charge of the place."

The police constable then gave evidence. When he entered the house, he said, the deputy was nowhere to be seen; and he proceeded to give a description of the place. The beds were arranged in rows. The "doubles" were partitioned off, but the partitions did not reach either to the floor or to the ceiling.

On being questioned as to the frequenters of this and similar places, he said that it was impossible to find a lodging-house in the neighbourhood that did not contain thieves and the most abandoned women.

It is on Saturday nights that the East End lodging-house is to be seen at its worst. As soon as the public-houses close, the orgie begins. Horrible oaths,

disgusting language, and filthy songs become the order of the night. Nor is this condition of things restricted to the houses for men only. So far as downright obscenity is concerned, the houses containing both women and men are the worst.

Many deputies have a sly supply of spirits on the premises—stuff calculated to drive the consumer to madness; and, when all the public-houses are shut, they dispose of this deadly refreshment at exorbitant prices.

In some cases the East End lodging-houses are receptacles for stolen property, as was shown in a case that came before my colleague, Mr. Bushby, two years ago. A boy admitted to the police that watches were frequently brought to the Three Bells Chambers, Flower and Dean Street, and sold there.

It was also shown in this case that two of the men frequenting the house lived by thieving and cadging, and that others lived upon the immoral earnings of the women with whom they cohabited fitfully.

The "doss house" is often structurally unfit for the purpose to which it is put, and only passes the inspection of the Scotland Yard authorities by being strong enough to bear the weight of the beds and their inmates, by being sufficiently spacious to admit the regulation number of cubic feet of "air," and by possessing a sufficient number of washing-places, etc.

In many cases, before you can enter the "doss house" proper, you have to pass through another

building and traverse a back yard. The house is often of three or four storeys, the staircases are narrow and winding, and the rooms are small; thus, should a fire break out, the conditions are all favourable for a holocaust of victims. I doubt very much whether the fires in the coke stoves standing in the centre of the room are ever put out. The flooring is like tinder, and the staircases are mere match-board.

Of course there are one or two lodging-houses to which the description I have given does not apply. A conspicuous example is Victoria House, situated at the corner of Commercial Street and Wentworth Street. Here special measures are taken to exclude notoriously bad characters.

The premises were originally two warehouses. A number of gentlemen acquired them at a considerable cost, and adapted them to their present purpose, being satisfied with a very moderate return on their outlay.

The rules of Victoria House, of which printed copies are hung up in the kitchen, are as follows:

"(1) No person in a state of intoxication will on any account be admitted.

"(2) No swearing or obscene language will be tolerated. Order and decorum are insisted on in the kitchen; silence in the bedrooms.

"(3) No person will be admitted after one o'clock a.m. without a special pass.

"(4) Any lodger interfering with the comfort of others is at once ejected.

"(5) Lodgers who are fortunate enough to possess extra clothing or other personal effects, can leave them in charge of the deputy, who will give a receipt for the same.

"(6) Baths, warm or cold, can be had in the house. For a warm bath, a charge of one penny is made."

In Victoria House every facility is given to the lodgers to keep their underclothing clean—in fact, it is insisted that they shall do so.

In the building, there is, open to all, a large, cosy reading-room, which is supplied with the daily papers and other journals. Adjoining the house is a lecture hall, containing chairs, a raised platform, and a small organ. This is used for temperance meetings, and lectures on domestic and other subjects.

As I have said, measures are taken to exclude bad characters from Victoria House. I very much question, however, if such persons would care to stay there. The place is too pure to suit them.

It is a pity there are not more establishments like Victoria House, for, of course, there are many persons—hawkers, men in search of work, the victims of landlords, etc.—who are forced to go to the common lodging-house. They have, at least, to choose between the lodging-house, the streets, the workhouse, and the prison. Many a respectable fellow has occasionally to find temporary quarters for himself and family, and there should certainly be places where they could be decent and comfortable, and where the children would

not be constrained to listen to filthy and demoralising conversation.

A number of summonses have been taken out recently against the owners of rookeries in the East End, and many of the worst houses will, in consequence, be closed. Now, what is to become of the poor wretches who inhabit them? For the most part they will have to become inmates of lodging-houses; and what will be the consequence? *Facilis descensus Averni.* Man, wife, and children will be forced to herd with the vilest of the vile, and they will gradually sink to the level of their associates.

I cannot help thinking that a good deal of our crime is thus called into being.

One of the greatest scandals in the East End is the existence of the unlicensed public-houses, by which I mean the bogus clubs. These places swarm in the Worship Street and Thames districts. I ascertained the other day, during the hearing of a case, that there are eighty bogus clubs in the immediate neighbourhood of my Court.

I have more than once been informed that the police are not able to gain admission to these establishments. Recently, however, a young constable was selected from a neighbouring division, and sent, in plain clothes, to endeavour to enter a house of this kind of which there had been numerous complaints. He succeeded in gaining admission, and found that the place was nothing more nor less than an unlicensed

tavern. At the time of his visit, a number of men were on the premises, drinking, smoking, playing cards, and betting on horse races.

A number of constables were lying in ambush, and at a given signal they rushed to the door and forced their way in.

This is not the worst case of the kind that has come under my notice. There are many of these dens where women as well as men are admitted.

The bogus clubs are crowded the moment the public-house is closed. Of course the membership is a mere sham, any one being able to obtain admission. Dancing goes on throughout the night, and frightful orgies are held.

These places are sinks of iniquity, and a terrible nuisance to the neighbourhood in which they are located. Among the "members" are gamblers, thieves, pickpockets, and prostitutes. The premises are open on Sundays as well as week-days. Poison is sold as drink.

In my capacity as magistrate I have received scores of touching letters from women whose husbands and sons have been ruined in these dens.

Now and then a case is singled out by the authorities for prosecution, but for the most part these establishments are maintained with impunity.

CHAPTER XXXI.

PRIVATE ENTERPRISE.

Some excellent charities — All Hallows Shelter — Bridge of Hope Mission — The Roman Catholic Shelter — Police Court missionaries — The work at Worship Street — First offences —Leniency *versus* severity—How to treat fallen women—The astonishing results of kindness—Zoe Maitland and her benefactors—Another Zoe Maitland—Her mother's statement—The Whitechapel murders—My visitor's ingenious theory—Has he been instrumental in stopping the crimes?

Having attempted to describe the evil condition of things existing in the East End, I will now say something about the palliative measures that are associated with private enterprise. Here is to be found the only ray of sunshine that penetrates the gloom of Outcast London.

In the parishes of North and East London, with seventeen exceptions, guilds, associations, and other institutions have been established for befriending girls. In the seventeen parishes that do not figure on the list, the necessity for these agencies does not exist. Preventive work is carried on throughout the whole of the large area I have specified, in many districts

with great vigour, and rescue work is prosecuted wherever it is required.

I will briefly refer to certain institutions with which I have become familiar, trusting that some of my readers will be induced to assist their finances.

At 47, Athol Street, East India Docks, stands All Hallows Shelter. This place was originally opened in 1875, but in a little while, owing to lack of funds, it had to be shut up. On September 20th, 1887, thanks to the assistance of the Church Mission, the shelter was reopened. The present superintendent, Mrs. Cooper, is out in the streets till two a.m. on two nights in every week. She speaks to the girls she meets, and invites them to the shelter. During the past three years, 274 cases have been dealt with at this institution, in the following manner: Placed in refuges, 141; put to service or work, 21; sent to the infirmary or hospital, 32; returned to friends, 32; left in the care of ladies, 11; emigrated, 3; married, 4; died, 1; and left, 29. The cost of the work for two years and eight months has been a little under £360. I learn that, at the time of writing, the funds of this institution are exhausted, and that the circumstance occasions the gravest anxiety as to the future. But will the benevolent public permit to be closed an institution which, during the past three years, has saved close upon three hundred women from the horrors of a prostitute's life? Will the benevolent public say: "Well,

we should certainly like to see a hundred of these poor creatures rescued every year, but really we cannot afford the £133 necessary for the purpose"? Will they say this? I think not; and in this connection I may mention the name and address of the principal of the institution: The Rev. A. Dalton, 411, East India Road, Poplar. Perhaps some of my readers who are blessed with a superabundance of the good things of this life, will permit this gentleman's name to figure on their cheque-books.

Then there is the Bridge of Hope Mission, Ratcliff Highway, of which the honorary superintendent is Miss Steer. This is situated in the worst part of St. George's-in-the-East. No girls who apply at the door of this Home are turned away. They are sure of some food and a night's shelter, and, if they choose to remain, they are properly cared for. Here are the statistics for 1889–90: Those who received a night's lodging, 5,855; rescue cases, 222; preventive cases, 182.

The Society for the Rescue of Young Women and Children, the head-quarters of which are at 79, Finsbury Pavement, has eight homes situated in different parts of the metropolis. Thus, girls who have been rescued can be removed a long way from the locality in which their former companions live. During the past three years, 13,150 girls have been received into these homes—a great many having been met coming out of the Police Courts of the East End.

There is no more excellent institution than the Roman Catholic Shelter, Crispin Street, Spitalfields. If you pay it a casual visit you will find, in one room, about 130 women, and in another, about 150 men; all creeds being represented. The place is beautifully clean. There are, I think, eight endowed beds for women, and seven for men. Each applicant, on being admitted, is presented with a ticket entitling him or her to five nights' lodging, with supper and breakfast. During the five days, inquiries are set on foot, and, if everything is found satisfactory, a further grant is made at the end of that time. This institution, which is not nearly so well known as it deserves to be, is in the heart of Spitalfields.

I must also mention Harlow House Night Shelter and Soup Kitchen, which is situated at 34, Mile End Road. This was opened in 1888, in consequence, I believe, of the Whitechapel murders. All the women who apply are provided with a night's shelter and a pint of tea, etc. They are allowed to leave as early as they please in the morning, in order that they shall have every opportunity to look for employment. Since the opening of this excellent shelter, nearly 20,000 persons have been assisted. It contains sleeping accommodation for 65 women. Every Sunday a tea is provided for 150 persons.

The London Female Penitentiary and Gordon Society has two branches, one at Stanford House, High Street, Stoke Newington, and the other at

21, Old Ford Road, Bethnal Green. These institutions are admirably managed. Since their foundation the following results have been obtained: Sent out to service, etc., 3,197; restored to friends, 2,113; married, 20; left at their own request, 1,892; discharged, 1,770; sent to hospital, 394; placed in kindred institutions, 166; transferred to other parishes, 126; found to have been inmates before, 13; emigrated, 53; died in the Homes, 65; pronounced to be insane, 16; showing thus a total of 9,825, to which must be added 86 who remain in the Homes.

The Guild of Good Life is established at Hoxton Hall, Hoxton Street, the president being Mrs. Rae. This is another very excellent charity.

Since it was opened, 1,008 persons have passed through the register at the Misses Headland's Home, 160, Dalston Lane. This institution is in connection with the Female Mission to the Fallen, of which the Bishop of Bedford is chairman. The girls dealt with during the year by the Misses Headland are thus accounted for: Placed in homes, 11; sent out to service, 37; placed with their friends, 6; sent to hospitals, 5; visited and assisted temporarily, 11;—total, 70.

Space will not permit me to mention the many other institutions that do so much excellent work in the East End and elsewhere. However, I cannot abstain from mentioning the great assistance magistrates receive from the thirteen missionaries attached to the different Courts. They are in touch with all the

philanthropic institutions, and it would be impossible to exaggerate the value of their services.

A gentleman was appointed to my Court on the 22nd January, last year (1890), and since that time between seven and eight thousand persons—a large proportion of them women—have been charged there. The missionary, who has permission to go into the prisoners' rooms and cells, visited and spoke to most of these poor creatures. As many as 230 pledges were taken by him, and he placed fifty of the women in homes or with their friends.

This gentleman has done especially good work among the men. He has procured clothes, food, and lodging for many of them, and he has assisted others to obtain work. Most of those who have been sent to prison, he has met coming out, and befriended in many ways, procuring them work in a number of cases.

In reference to the prisoners that are brought up at the Police Courts, it is a great pity, in my opinion, that some plan cannot be devised for securing something like uniformity in the sentences passed upon them. Of course I am aware of the difficulties that stand in the way of this consummation. Each magistrate holds a different set of opinion on the subject.

For my own part, I am convinced that—except with habitual criminals—leniency is a more powerful instrument of good than severity. I refer, of course, more especially to minor charges, such as drunkenness and disorderly conduct. The usual routine is to inflict a

fine of 2*s.* 6*d.* or 5*s.*, with imprisonment as the alternative. For my part, I entirely disapprove of this course. What is the use of inflicting the fine in very poor cases? Were the money not forthcoming, the offender would go to prison, which means that the bread-winner would be shut up, and the family left to starve. So the clothing of the wife or the children goes to the pawnshop, and the fine is paid.

I think it is better to merely administer a caution in the case of the first, or even second, offence of this description. On the other hand, I do not think that either words or fines are of any use with the habitual drunkard. He or she is far better off in prison, out of temptation.

A great deal has been said in approval of the First Offenders' Act, though, as a matter of fact, the law is a superfluous one. The powers it professes to confer were previously possessed by magistrates. However, it has been the means, in many quarters, of encouraging mercy —notably in cases of embezzlement and charges *ejusdem generis*—and to that extent it has undoubtedly been very useful.

Law is designed to prevent crime, and not to assist in making criminals, and, therefore, if it is proved that leniency tends to reform the offender, while severity tends to harden him, little more need be said in favour of the course I am recommending. Certainly in no single instance have I had reason to regret having taken a merciful view of an offence.

In nine cases out of ten, minor offences are, in the first instance, committed in consequence of sudden temptation. If the offender goes to jail, what is the result? His character is destroyed, and, when he is liberated, he will find it well-nigh impossible to obtain employment. Added to this, his wife and family, during his incarceration, will have been reduced to terrible straits, and, perhaps, compelled to sell all their furniture and break up the little home. In ninety-nine cases out of a hundred, indeed, the wretched wife and children suffer far more acutely than the offender. The liberated convict and his family are often compelled to take up their abode in a common lodging-house, and, of course, when this is the case, they swiftly sink to the lowest human level.

My experience has always been that kindness and gentleness will go a very long way with fallen women—even with the horrible type that belongs peculiarly to the East End. They step into the dock with depravity, callousness, and defiance written in every feature of their coarse countenances; and the routine observations about reform and the desirability of entering a home are received with a sneer, a contemptuous laugh, and very often an oath. Once begin to reason with them, however—not in a lecturing spirit, but gently and with kindness—and how soon do the most brazen creatures burst into tears and completely break down.

Having brought matters to this head, I remand the prisoner for a week, and see that efforts are in the

meantime made to secure an asylum for her. When the seven days have elapsed, and the case is again called on, a totally different individual takes her stand behind the rail. Humility has taken the place of callousness and defiance, and the signs of depravity are already passing away. She does not regret the weakness she betrayed at our previous interview, and she is ready and eager to go wherever I may elect to send her.

The after results of these cases have been very satisfactory, in many cases greatly exceeding my most sanguine expectations. This speedy reformation may seem astonishing, and even incredible, to many persons; but, as a little reflection will prove, it is capable of very simple explanation.

These poor creatures have mixed only with those of their class—the outcasts of society—at whose hands they have been brutalised and degraded, body and soul. When have they heard a really kind word? Absolutely never. They have literally not known that such a thing as kindness exists, and hence their susceptibility to its influence.

These women are too sunken, too depraved for ordinary spiritual care and remedy—so it is supposed by those in a position to supply them. Thus the poor creatures have, *ex necessitate*, been left to themselves.

I do not believe there are many among the fallen women of the East End who will refuse to lend an ear to words of kindness and encouragement, provided hey believe them to be genuinely spoken, and pro-

vided they come from the lips of one whom they are disposed to trust.

I often ask the lady principals of the homes to which I have previously referred, how the unfortunate creatures I have sent them are getting on—specifying particular individuals—and the replies I receive are almost invariably satisfactory.

Owing to the publicity given in the newspapers to the proceedings at Police Courts, I very often receive from different parts of the country contributions to assist special cases of destitution and misery. Nor does the kindness of my correspondents stop short at postal orders and cheques, as the following particulars of the case of Zoe Maitland will show.

This poor creature was brought before me charged with attempting to commit suicide by flinging herself in front of a train while it was in motion. She was saved by what was almost a miracle.

The suspicions of a porter had been excited by something singular in her demeanour. He stood close by, narrowly watching her movements, and when she jumped from the platform he sprang forward, and was just in time to clutch her dress and drag her back.

Upon my asking the prisoner, who was only seventeen years of age, what she had to say in reply to the charge, she at first remained silent. When I gently pressed her for an explanation, reminding her of the criminal folly of which she had been guilty, she said the reason she attempted to commit suicide

was, because she had no friends and no home. She had been in service, she added, but had left her place, and, not knowing what to do, or where to go, she had determined to end her miserable existence.

I remanded the prisoner for a week, stating that, if her antecedents were found to be good, and if I received a favourable report of her from the clergyman of the jail (to whom I addressed a letter on the subject), I would endeavour to find a home for her.

A few days afterwards I received a letter from a well-to-do shopkeeper in the North of England, stating that he and his wife had read an account of the case in the papers, and felt that they could not rest in their beds until they did something to help the poor girl. He went on to propose that, if she were willing, she should come and live with him and his family. For the sake of their daughter, he added, he should wish the poor girl to change her name and never in any way to refer to her past career. Some certificates as to the writer's respectability were enclosed in the letter.

I at once placed the facts of the case before the missionary attending my Court, and he promptly opened up communications both with the prisoner and with my correspondent.

On the morning on which the girl was to be again brought before me, I was informed, on my arrival at the Court, that an old gentleman was waiting to see me in my private room. He introduced himself as my correspondent in the North, and said that he had come

up to town on the previous evening in order to be present at the Court when the case came on. If I advised it, he said, he would, at his own expense, at once take the girl back with him to his home.

I sent to the cells for the prisoner and, in the gentleman's presence, explained the situation to her, dwelling as forcibly as I could upon the providential escape from trouble that had been offered to her. She cried very much, and was profuse in her expressions of gratitude and in her promises as to the future.

My Court missionary saw the two off by train, and he is now in constant communication with them. The accounts he receives are eminently satisfactory. The girl is working admirably in the shop, and her benefactors are more than satisfied.

A curious incident occurred in connection with this case. A few days after it was disposed of in this satisfactory manner, a Mrs. Maitland, of Ealing, appeared at my Court, and introduced to my notice her daughter, a girl of about sixteen.

"I want you to tell the public, please," said the mother, "that this is not the person giving the name of Zoe Maitland who came before you the other day, charged with attempting to commit suicide on the railway. My daughter's christian-name is also Zoe. I have written to the papers to say it wasn't my daughter, but only a few of them have printed my letter. We have experienced very great annoyance in connection with this matter. Friends from a distance

have written me long letters about my daughter's wickedness, and the poor child can't go through the streets without being pointed at. Even in church last Sunday every one was staring at her. They explain her appearance," added this somewhat excitable lady, "by saying that the matter has been hushed up."

All I could do was to express to the applicant my regret that she should have been subjected to such great annoyance. I remarked that no one could possibly confuse the neatly dressed Zoe Maitland then before me with the careworn and wretched-looking Zoe Maitland who had stood in the dock a few days previously. In conclusion, I expressed the hope that the gentleman present representing the Press would give due publicity to the statement that had just been made.

I have something to say in reference to the Whitechapel murders that I think will be read with interest by many of my readers.

Without entering into the details of those horrible tragedies, I may mention that they all occurred within the Worship Street and Thames districts, and that, as I foresaw the possibility of the assassin, if arrested, being brought before me, I made it my business to personally visit all the scenes of the crimes, and to make what medical and other inquiries I thought desirable.

As my readers are aware, the murderer has not been arrested; but a curious set of circumstances which tend, perhaps, to throw light upon the mystery came to my knowledge at the time.

For excellent reasons, I shall abstain, at any rate at present, from entering into the details of this matter.

It is not, however, that I lack the necessary permission of the person principally interested. He has placed in my possession all the documents relating to this matter, and has unreservedly given me permission to make whatever use of them I like. The reasons for my reticence are concerned merely with the interests of justice.

I was sitting alone one afternoon, on a day on which I was off duty, when a card was brought to me, and I was informed that the gentleman whose name it bore desired that I would see him.

My visitor was at once shown in. He explained that he had called for the purpose of having a conversation with me with regard to the perpetrator, or perpetrators, of the East End murders. He had, he said, taken a very great interest in the matter, and had set on foot a number of inquiries that had yielded a result which, in his opinion, afforded an undoubted clue to the mystery, and indicated beyond any doubt the individual, or individuals, on whom this load of guilt rested.

My visitor handed me a written statement in which his conclusions were clearly set forth, together with the facts and calculations on which they were based; and, I am bound to say, this theory—for theory it, of necessity, is—struck me as being remarkably ingenious and worthy of the closest attention.

Besides the written statement, this gentleman

showed me copies of a number of letters that he had received from various persons in response to the representations he had made. It appeared that he had communicated his ideas to the proper authorities, and that they had given them every attention.

Of course, the theory set forth by my visitor may be a correct one or it may not. Nothing, however, has occurred to prove it fallacious during the many months that have elapsed since the last of this terrible series of crimes.

As I have said, I cannot take the reader into my confidence over this matter, as, possibly, in doing so I might be hampering the future course of justice. One statement, however, I may make, and, inasmuch as it is calculated to allay public fears, I do so with great pleasure. The cessation of the East End murders dates from the time when certain action was taken as a result of the promulgation of these ideas.

CHAPTER XXXII.

HOW TO SOLVE THE PROBLEM.

Existing destitution and misery—The necessity for immediate action—A popular subject for a great statesman—Private enterprise ineffectual—The difficulties and dangers of "General" Booth's scheme—Suffering charities—Pauperism on the increase—The necessity for State interference—Education: a parallel case—A Minister of Health required—The financial question—Remarks of an ex-Cabinet Minister—A graduated system of taxation—Meanness and riches.

I THINK I have proved that there exists, side by side with our modern wealth, an amount of destitution and misery probably unequalled in any former age, and the equivalent of which is perhaps not to be met with in any other country in the world. I hope also that I have proved to demonstration that the deplorable condition of the poorer working classes of London cannot any longer be disregarded. In my humble judgment there is no subject of greater or more pressing importance.

What more grateful and popular task could a leading statesman set himself than the launching of a perma-

nently efficacious scheme for the raising up of the suffering poor of overcrowded London?

At the risk of harrowing and distressing my readers, I have dwelt at some length upon the sufferings of the "submerged tenth," because I believe that the absence of West End interest in the East End is largely the result of blissful ignorance.

I have tried—though, I am afraid, with imperfect success—to indicate the causes of the existing evil, and to point out how, in many ways, measures might be taken to improve the condition of certain classes of individuals. The time has now come, however, to consider the remedial question from a more comprehensive point of view.

In the first place I am convinced that private enterprise, be it ever so powerfully managed and generously subsidised, will in the end prove quite unequal to cope successfully with existing difficulties. While giving all credit for the motives that have actuated the propounder of the scheme which is now before the public, and which has met with so many liberal supporters, I must say that, for many reasons, I am entirely opposed to it.

Even admitting for the moment that matters may proceed satisfactorily enough during the lifetime of "General" Booth, where is there the slightest guarantee as to what will happen when he has gone? He is a man fairly advanced in life, and the time must arrive when another pilot will steer the ship. It is only

necessary, for the sake of argument, to picture a capricious and incapable man at the helm, to perceive, in the mind's eye, a mass of wreckage where once there sailed a magnificent vessel.

Then, too, the mere matter of raising the necessary money is full of difficulties. The £100,000 which the public is at present asked to provide is but an instalment, the very considerable sum of a million of money being requisitioned for carrying out the scheme in its entirety. What reason is there for supposing that the wealthy public will sufficiently approve of the results produced by the first instalment, to continue their contributions? If there is not a chorus of approbation over the first-fruits of this gigantic and peculiar scheme, there can be little doubt that the remainder of the money will not be forthcoming.

Then again the whole scheme implies a sort of family ring in which one man becomes absolute dictator. "General" Booth is commander-in-chief, and he has under him several members of his own family, who, in their turn, command different battalions. Absolute obedience and submission is demanded from every soldier enlisting in these ranks, and any one can be cashiered at a moment's notice, at the will of the commanding officer, without any legal or properly prescribed investigation. Under these circumstances, what are the members of the Salvation Army but parts and atoms of a religious sect, somewhat fanatical and guided by strong Socialistic principles?

In my opinion an insuperable objection to the scheme is to be found in its association—intimate or remote, I care not—with "General" Booth's Army.

Probably the most serious aspect of this proposal is to be found in the damage it will do, and is already doing, to existing charities. True, none of these agencies profess to cope with the evil as a whole, but, within their respective areas of operation, they do much practical good. Take for an example the Discharged Prisoners' Aid Societies, which are associated with nearly all our prisons. What an amount of excellent work they do, and how deplorable it would be if any of them were to be seriously crippled for want of funds.

The evil I am now pointing out is a very real one. Wealthy persons, in response to the appeal made to them, are contributing handsomely, not to say extravagantly, to "General" Booth's scheme, and this means nothing more nor less than that the streams of charity are being diverted from their old channels into a new one. The money formerly given to achieve a known and certain result is now being given to achieve an unknown and doubtful speculation; and the unhappy creatures who are sought to be benefited are likely to be the sufferers.

In addition to this, the scheme is calculated to increase pauperism. The matter has been made public only a few weeks, and if I am informed aright—and I believe I am—the roads to London are choked with destitute

and semi-destitute persons hurrying thither to participate in the funds which they anticipate will shortly be forthcoming. The main towns of England, as well as the agricultural districts, are being thus tapped. One of the chief mendicity officers informs me that the number of tramps trudging along the roads leading to London has, during the past week or two, increased by something like ten per cent. What will be the state of things in a month or two, when the scheme will have been discussed much more widely, and the matter even bruited abroad?

The East End—certainly the whole of my district—is already overrun with foreigners, especially Russian and Polish Jews; but their numbers are likely in a little while to be very materially increased.

Without, however, going into any very lengthened criticism of "General" Booth's scheme, I would remark generally that, in my opinion, the greatest objection to it consists in its irresponsible character. Supposing the money subscribed, or a large portion of it, were applied to purposes entirely foreign to the ideas and wishes of the donors, what remedy would there be? Absolutely none. In point of fact, therefore, the money is to be dealt with at the will and according to the ideas of one single individual, and, in the event of his passing away, the trust is to be continued with a member of his own family, or with whomsoever else he may choose to appoint.

Of course I do not in any way blame the charitable

persons who have come forward with subscriptions. It is superfluous to say that they have been actuated by the best and kindest of motives. Have they not, however, been a little too rapid in this proceeding? Have they not too hastily responded to a novel appeal which, until properly examined, looks roseate enough, but which, when soberly thought over and logically reasoned out, proves to be fraught with dangers innumerable?

I am firmly convinced that the only way to grapple successfully with this great problem is by State interference. My contention is this—the disease is national, and, therefore, the cure should be national. It is not a question of charity at all. Private enterprise can only tinker at the question.

It ought not to be a matter of choice with persons in a good position whether they shall or shall not do something to improve the condition of their suffering fellow-creatures. In other matters the citizen has no option, and why should he in this?

Take, for instance, the question of education. It has long since been recognised as a national one; and, in a very short time, the department of the State entrusted with the work will become far more important even than it is at present.

This question of education, indeed, considered in the present connection, supplies more than one argument. At the present time the State interferes in regard to the minds of the people, but not in regard

to their bodies. This is putting the cart before the horse with a vengeance. The bodies should have been taken in hand first and the minds afterwards, because the development of a person's mental powers depends very considerably upon his physical well-being, whereas his physical well-being practically in no way depends upon the development of his mental powers. Nay, the argument reaches still farther, for a half-starved child who is compelled to study, will collapse much sooner than a half-starved child who is permitted to remain idle. Then, too, what a waste of educational force takes place under the existing state of things. The Education Act reaches to the very dregs of humanity, and many a child, while at "home," encounters evil examples and bad associations that completely counteract the influences of the class-room.

We have a Minister of Agriculture who looks after the muzzling or non-muzzling of dogs, who regulates the importation of foreign cattle, and who, in a word, watches over the interests of the animal kingdom; yet there is no department of the State responsible for the housing and sanitary state of the poor.

What is wanted is a Minister of Health. Here there would be real responsibility, for a Minister has to answer to his Government, and the Government to Her Imperial Majesty and the country.

Some persons may ask, where is the money to come from? As a matter of fact, this aspect of the subject, for various reasons, gives me no trouble at

all. Whenever a great national want has arisen, funds have always been forthcoming to meet it.

I have talked the general question over with three ex-Cabinet Ministers. One of them—who is a great authority on subjects of this description—after listening attentively to what I had to say about the urgency of the matter, observed:

"Let anything like a workable and intelligent scheme once be evolved, there will be no difficulty about the money."

I am entirely at one with him. Supposing, for the sake of argument, it were proved that the problem could only be satisfactorily solved by the expenditure of several millions, I am persuaded the country would not begrudge the money.

I cannot forbear from stating, by way of parenthesis, the method that I myself should like to see adopted for raising any sum that might be necessary. I would not impose any additional burden on small incomes, which are already sufficiently taxed. I would institute a system of graduated taxation. It would, undoubtedly, be only just if the money required for all national purposes were raised in this manner; but the system would be peculiarly appropriate in the case under consideration. I myself know scores of men with incomes ranging from £10,000 to £40,000 a year, who have never given one single sixpence to the struggling poor of London. Yet whence do such persons derive their money? It all comes from the

brains and bodies of the people, in their capacity of workmen, tenants, and consumers. Utterly forgetful of this fact, the persons to whom I allude do not give so much as a halfpenny even to unassuming little charitable institutions like the magistrate's poor-box. Of course those who have country estates are bound to give something, especially at Christmas, to their poorer tenants. What would their position be if they omitted to do so? Of course, too, Members of Parliament are compelled to give a certain amount in charity among the people whom they represent. Beyond this interested benevolence, however, nothing is done by these individuals to alleviate the sufferings of their fellow-creatures.

I ventured to mention my ideas regarding the taxation of the rich to the distinguished statesman of whom I have already spoken. He at once observed:

"I have always been in favour of a graduated scale of taxation, but, if you venture to give utterance to such opinions in these days, you will be set down as Jack Cade."

This may be so; but, as I ventured to remind him, the principle of graduated taxation has been already admitted, in the exemption of certain incomes and the abatements that are allowed in others.

But this question of taxation does not come within the scope of my proposal for the appointment of a Minister of Health. The matters are quite distinct, for it does not by any means follow that the creation of the new

office, and the exercise of such powers as may be vested in it, will involve any special expenditure. Certainly, at first, an immense amount of good could be effected at little or no cost.

I will give a practical clue to my meaning. I feel tolerably confident that I enlisted the sympathies of my readers in the remarks I made, in a previous chapter, as to the desirability of certain centres of industry being removed from the East End to the suburbs. The wisdom of such removals, indeed, must I think be patent to all. But how is this consummation to be brought about, save at the mandate of such a Minister of the Crown as I desire to see appointed? And, moreover, how otherwise are we to deal with the many vested interests that have to be taken into account in connection with the housing problem?

Very likely, in the process of time, the Minister would feel his way to some sweeping measure or measures of reform involving a considerable expenditure; and, should that time arrive, I am convinced that the feeling of the country would not be in favour of those who sought to prevent the outlay.

I do not pretend to indicate the powers that should be entrusted to the authority I am so anxious to invent. That is a matter to be decided, after ample discussion, by more administrative brains than mine.

I have now had considerable experience of the state of things existing in the East End of London, and I am honestly convinced that the plan I have

proposed is the only one that can be devised for dealing successfully with what, in my humble judgment, is the problem of the hour.

Personally, I have no cause to complain that I have been mercilessly pelted with the slings and arrows of outrageous fortune; but I confess that the scenes I have witnessed and the piteous tales I have heard, during the past three years, have made me, for the first time in my life, covetous of wealth.

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